

Women and Equalities Committee

The rights of older people

Third Report of Session 2024–25

HC 414

Women and Equalities Committee

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Summary

There are more people in older age groups in the UK than ever before, with 11 million people in England and Wales aged 65 or older. Over half a million people are aged over 90. These proportions are expected to increase over the coming decades. The UK's ageing population presents a range of significant cross-departmental challenges and opportunities, and there is a huge breadth of issues facing an increasingly diverse older population.

Despite strong evidence of real harms to individuals and society of widespread age discrimination, the UK's equalities framework omits a focus on demographic change and ageing. This must be rectified. The Cabinet Office should establish a unit of data and policy analysts within the Office of Equality and Opportunity to build an evidence base on the key cross-departmental challenges, including intersectional issues, facing older people now and in the coming decades. This should be with a view to publishing in this Parliament a cross-departmental strategy on demographic change and ageing.

Older people in England lack both a minister with responsibility for the range of challenges they face and a strong independent voice to advocate for them in policy making and help protect and enforce their rights. The development of a strategy for demographic change and ageing should consider the merits of establishing a UK cross-government minister to take responsibility for championing the rights of older people and implementing relevant policies. Alongside this work, the Government should assess the experience in Wales, which has a well-established Commissioner for Older People and a comprehensive network of local authority Older People's Champions helping to deliver a national strategy. The Government should evaluate the effectiveness of this approach with a view to replicating it in England in line with its plans for English devolution and local authority reform.

Some groups of older people are at high risk of digital exclusion from a wide range of essential services and activities, including aspects of healthcare, local authority services and benefits, and banking. It is a considerable failure of government that the UK's digital inclusion strategy has not been updated in over a decade. We welcome the Government's intention to remedy this and urge it to prioritise the development of a new strategy that

includes a detailed focus on the needs of older people, including a plan for locally delivered digital skills provision and promotion of best practice in maintaining offline alternatives to digital for as long as needs remain.

Discrimination law and the Public Sector Equality Duty (PSED) are failing older people. Their protections are inadequate and rarely enforced. The Government should commission and fund the Equality and Human Rights Commission to review the effectiveness of protections against age discrimination, including consideration of the impacts of allowing objective justification of direct age discrimination; the adequacy of the PSED and the case for more specific positive duties in England; the case for a strengthened “reasonable steps” duty on employers to prevent age discrimination; and options to better reflect in the Equality Act the intersectional nature of age discrimination, including but not limited to commencement of section 14 on dual characteristics.

Ageism is widespread and culturally embedded in the UK. This is in part driven by age discriminatory language and imagery in the media and advertising. We welcome work being done by the Advertising Standards Authority (ASA) to better understand the nature and extent of the problem. The ASA, the broadcast media regulator Ofcom and the Independent Press Standards Organisation must take steps to strengthen their respective regulatory codes to better protect individuals and society from the harms of pervasive ageism.

1 Introduction

The UK's ageing population

1. The number and proportion of older people in the UK has been increasing since the latter half of the last century, as life expectancies have increased and people start families later in life and have fewer children.¹ The 2021 census confirmed that there are more people in older age groups than ever before, with 11 million people in England and Wales aged 65 years or older, 18.6% of the population, up from 9.2 million (16.4%) a decade earlier.² Over half a million people were aged 90+, more than two thirds of whom were women.³ In 20 years, the UK's 65+ population is expected to increase by around five million people, including an additional one million people aged 85 years and older.⁴

Increasing diversity

2. "Older people" make up an extremely heterogenous group, and their diversity is increasing. While the broad trend in longer lives can be celebrated as "a triumph of medicine and public health", the way people experience older age varies hugely, influenced by a range of factors including income, geography, housing, gender, marital status, and health and disability.⁵

1 See, for example, Office for National Statistics, '[Living longer: how our population is changing and why it matters](#)' (13 August 2018), accessed 26 April 2024

2 Office for National Statistics, '[Voices of our ageing population: Living longer lives](#)' (2 November 2022), accessed 26 April 2024; Office for National Statistics, '[What does the 2011 Census tell us about older people](#)', accessed 26 April 2024

3 Office for National Statistics, '[Voices of our ageing population: Living longer lives](#)' (2 November 2022), accessed 26 April 2024

4 Centre for Ageing Better's written evidence to our predecessor's inquiry, *The role of the GEO: embedding equalities across Government*, (GEO0018), February 2021

5 "[We must adapt for an ageing population says Chief Medical Officer](#)", Department of Health and Social Care press release, 10 November 2023; Office for National Statistics, '[Voices of our ageing population: Living longer lives](#)' (2 November 2022), accessed 26 April 2024

3. While people aged 65+ are overwhelmingly White, the proportion of minority ethnic older people is increasing steadily, from 2.6% in 2011 to 3.8% in England and Wales in 2021.⁶ The percentage of the 65+ population identifying as lesbian, gay, bisexual, or other sexual minority is the lowest by age group and has been broadly stable at around 1% since 2014. This is set to increase substantially over time, however, as today's younger age groups, many more of whom identify as a sexual minority, reach older age.⁷ Issues for older people will therefore increasingly intersect with those associated with race and sexual orientation.
4. Other issues often perceived as predominately affecting younger people, such as access to home ownership and affordable rents, precarious employment, low levels of financial savings, inadequate pension provision, and associated financial insecurities, which already affect older age groups to some extent, are set to do so increasingly over the coming decades, particularly as the state retirement age increases.⁸

Age as a protected characteristic in equality law

5. Older people have been protected from employment discrimination in UK law since 2006 and more widely protected in relation to services, public functions, and associations since provisions in the Equality Act 2010 came into force in 2012.⁹ The 2010 Act includes age as one of the nine protected characteristics, alongside gender reassignment, marriage and civil partnership, pregnancy and maternity, disability, race, religion or belief, sex, and sexual orientation.¹⁰ The Act, however, treats age differently from the other eight protected characteristics, in that it allows direct discrimination based on age where it can be objectively justified as a “proportionate means of achieving a legitimate aim” (see chapter 4).¹¹ There is a view that this exceptional treatment of the protected characteristic of

6 Office for National Statistics, '[Profile of the older population living in England and Wales in 2021 and changes since 2011](#)' (3 April 2023), accessed 26 April 2024; Office for National Statistics, '[Voices of our ageing population: Living longer lives](#)' (2 November 2022), accessed 26 April 2024

7 Office for National Statistics, '[Sexual orientation, UK](#)' 2014–2022, table 7b (accessed 29 April 2024)

8 See, for example, [Centre for Ageing Better, Locked out: A New Perspective on Older People's Housing Choices](#), August 2023; Independent Age, '[Two million too many: Poverty in later life and how to tackle it](#)', September 2024

9 The Employment Equality (Age) Regulations 2006; Equality Act 2010; see also, GOV.UK, '[Equality Act 2010: guidance \(age discrimination\)](#)', accessed 30 April 2024

10 See, GOV.UK, '[Discrimination: your rights](#)', accessed 30 April 2024

11 Equality and Human Rights Commission, '[Age discrimination](#)', accessed 29 April 2024

age contributes to a widely held perception that ageism is less serious and more socially acceptable than other forms of discrimination such as sexism, racism, and homophobia.¹²

6. Witnesses advocating for older people's rights argue that ageism can be deeply harmful but is nonetheless widely "normalised" in UK society.¹³ Age UK told our predecessor Committee:

[...] what is different about ageism is just how culturally accepted it is now, in a way that other forms of discrimination are not. People who view themselves as educated, progressive, in touch, will quite openly say something derogatory about an older person, or about older people as a group, in a way that would be totally unacceptable if they said it in terms of race, or gender or sexual orientation. There is something different there; it just shows how very embedded it is.¹⁴

The Centre for Ageing Better argues that "Britain is long overdue a fundamental culture shift to overturn these attitudes".¹⁵

Prevalence and harms of ageism in UK society

7. Research shows that negative ageist stereotypes and age discriminatory language and imagery are "extremely prevalent" in the UK.¹⁶ For example, a 2021 study of language about older people in online publications concluded that the UK was in this respect the most ageist of 20 countries across the British Isles, North America, Oceania, Asia, Africa, and the Caribbean.¹⁷ The Equality and Human Rights Commission's last national survey of prejudice and discrimination found that a higher proportion (slightly over a quarter) of British adults of all ages reported experiencing prejudice based on their age than any other protected characteristic.¹⁸

12 See, for example, oral evidence taken on 10 January 2024, [Q2](#) [Caroline Abrahams]; Associate Professor Alysia Blackham, Melbourne Law School, University of Melbourne ([ROPO017](#)); Centre for Ageing Better ([ROPO046](#))

13 See, for example, oral evidence taken on 10 January 2024, [Q1](#) [Dr Easton]; [Q28](#) [Heléna Herklots]

14 Oral evidence taken on 10 January 2024, [Q2](#) [Caroline Abrahams]

15 "[Older people widely demonised in UK, ageism report finds](#)", *The Guardian*, 19 March 2020

16 Centre for Ageing Better, "[Ten facts that show why ageism is so harmful](#)", accessed 29 April 2024

17 Reuben Ng and Jeremy W Lim-Soh, "[Ageism linked to culture, not demographics: Evidence from an 8-billion-word corpus across 20 countries](#)", *The Journals of Gerontology Series B, Vol 76 (9) (2021)*, pp 1791–1798

18 Equality and Human Rights Commission ([ROPO056](#)); see, Equality and Human Rights Commission, "[Developing a national barometer of prejudice and discrimination in Britain](#)", Research report 119, October 2018

8. Older age strongly correlates with digital exclusion, which is a barrier to an increasing array of social and economic activities and has been exacerbated by many years of squeezed local authority budgets and a move to “digital by default” services, particularly since the Covid-19 pandemic restrictions.¹⁹
9. The response to Covid-19 also gave rise to grave concerns about attitudes towards older people’s rights to healthcare.²⁰ Some organisations have raised concerns about the potential impacts on older people of the Terminally Ill Adults (End of Life) Bill, commonly known as the Assisted Dying Bill, which had its Committee Stage consideration in the House of Commons in January 2025.²¹
10. Ageism is associated with a range of individual and societal harms. There is strong evidence that where stereotypes around frailty or helplessness are internalised, they can become self-limiting with related negative effects on social participation and wellbeing. The Centre for Ageing Better has emphasised that this kind of “ageism directed towards the self” can “discourage older people from embracing the behaviours and opportunities that would enable them to fully participate in society.”²² At least one academic study has found a correlation between this type of internalised ageism and significantly reduced life expectancy.²³
11. Some media and political narratives around the UK’s ageing population, particularly debates about “intergenerational fairness”, tend to pit younger and older generations against each other in a perceived fight for limited resources.²⁴ “Catastrophe language” sometimes used to describe the UK’s ageing population, for example “grey tsunami” and “demographic timebomb”, implies that people become a “burden” on society’s resources

19 See, for example, House of Lords Communications and Digital Committee, Third Report of Session 2022–23, [Digital exclusion](#), HL Paper 219; Parliamentary Office of Science and Technology, [‘COVID-19 and the digital divide’](#) (17 December 2020), accessed 30 April 2024

20 See, for example, [“How COVID-19 exposed the systemic ageism at the heart of Britain”](#), *The Conversation*, 11 June 2021; [“The Covid-19 crisis reveals how much we value old age”](#), *LSE Blog* (Joan Costa-Font), 15 April 2020

21 See, for example, British Geriatrics Society, [‘BGS Position Statement on Assisted Dying \(Physician Assisted Suicide and Voluntary Active Euthanasia\)’](#) (30 October 2024), accessed 22 January 2025; Equality and Human Rights Commission, [‘Parliamentary briefing: Terminally Ill Adults \(End of Life\) Bill – House of Commons Second Reading’](#) (21 November 2024), accessed 22 January 2025; UK Parliament, [‘Terminally Ill Adults \(End of Life\) Bill’](#), accessed 22 January 2025

22 Centre for Ageing Better written evidence to our inquiry, *The role of the GEO: embedding equalities across Government*, ([GEO0018](#)), February 2021

23 Levy, B., Slade, Martin D., Kasl, S. V., Kunkel, S. R., [“Longevity increased by positive self-perceptions of ageing”](#), *Journal of Personality and Social Psychology*, vol 83 (2002), no.2, 261–270 cited in Royal Society for Public Health, [The Age Old Question: How attitudes to ageing affect our health and wellbeing](#), May 2018, p 4

24 The National Pensioners’ Convention ([ROP0038](#)); Centre for Ageing Better ([ROP0046](#))

as they age. Alternatively, older people are stereotyped as “boomers”, who hoard wealth to the disadvantage of younger people.²⁵ The Centre for Ageing Better has argued that:

[...] the intergenerational “fairness” narrative often ignores the fact that there is inequality within generations too. This creates an inaccurate sense of competition for resources between generations, rather than between the wealthy and the poor. Generations then become proxies for either wealth or poverty, and the true picture of inequality is hidden.²⁶

The inquiry and this Report

12. Our inquiry was begun by our predecessor Committee in autumn 2023. It examined ageism through a cross-departmental equalities lens. It did not consider in detail some major policy areas affecting older people that fall squarely within the remits of other departmental select committees, for example state pensions and social security benefits, which are the responsibility of the Work and Pensions Committee, and social care funding and policy, which is scrutinised by the Health and Social Care Committee.²⁷
13. The inquiry set out to examine the extent to which ageist stereotyping and discrimination is preventing older people from participating fully in society; whether there is sufficient government focus on broader cross-cutting issues for older people; and the adequacy of the legal and governance frameworks in place to protect and champion older people’s rights. The full terms of reference are published on our webpages.²⁸ Our predecessor Committee examined labour market challenges for older workers in the context of addressing high levels of economic inactivity and the imperative to facilitate longer working lives. Given the current Government’s Make Work Pay and Get Britain Working policy agendas and the passage of the Employment Rights Bill through Parliament, the context has changed considerably in the new Parliament. We have therefore not addressed recruitment and labour market-related issues here but intend to return to them as part of our ongoing inquiries into equality at work.²⁹

25 Centre for Ageing Better, [Doddery but dear?: Examining age-related stereotypes](#), March 2020, pp 9–10

26 Centre for Ageing Better, [An old age problem? How society shapes and reinforces negative attitudes to ageing](#), November 2020, p 12

27 House of Commons Committees, [Work and Pensions Committee](#), accessed 30 April 2024; House of Commons Committees, [Health and Social Care Committee](#), accessed 30 April 2024

28 Women and Equalities Committee, [‘The rights of older people’](#), accessed 29 April 2024

29 See, Women and Equalities Committee, [Equality at work: miscarriage and bereavement leave](#); [Equality at work: paternity and shared parental leave](#), accessed 17 December 2024

14. Our predecessors published written evidence from a wide range of third sector organisations, academics, lawyers, and older people themselves. It heard oral evidence from older people’s charitable organisations, leading academics, practising discrimination lawyers, the Equality and Human Rights Commission, the digital inclusion charity Citizens Online, the Local Government Association, and press, media and advertising regulators and watchdogs, the Committee of Advertising Practice (part of the Advertising Standards Authority’s regulatory system), the Office of Communications (Ofcom), and the Independent Press Standards Organisation. The previous Committee also met with a group of older people from across the country to hear directly about their lived experiences, particularly in relation to their use of digital technology. A summary note of this meeting is included as an annex to this Report.
15. The dissolution of Parliament for the July 2024 general election prevented the last Committee from publishing a Report. On 23 May, the then Chair, Rt Hon Caroline Nokes MP, wrote to the then Minister for Women and Equalities, Rt Hon Kemi Badenoch MP, setting out some key themes from the evidence in lieu of a formal Report. She wrote:

There is strong evidence of very high prevalence of harmful ageist attitudes and discrimination across UK society. In every area we examined, there was evidence that ageism is not treated as seriously as other forms of discrimination, despite a wealth of evidence on its harms to individuals and society.³⁰
16. We wanted to ensure that the last Committee’s thorough work did not go to waste. On 11 December 2024, we held a follow up oral evidence session with Age UK, the Centre for Ageing Better, Independent Age and the newly appointed Older People’s Commissioner for Wales, Rhian Bowen-Davies. We drew heavily on the evidence to our predecessors and examined some key policy developments since the election.³¹ We are grateful to everyone who has contributed to this work.
17. Our Report begins by examining the nature and prevalence of harmful ageist stereotyping and age discriminatory language and imagery in the media and advertising, and the adequacy of current standards and codes. In chapter 3, we examine some of the key areas of older people’s digital exclusion and the case for a renewed cross-departmental digital inclusion strategy. Chapter 4 analyses the effectiveness of aspects of age discrimination law, including the practical implications of allowing objective justification of direct age discrimination and the case for reform

30 [Letter dated 23 May 2024 from Rt Hon Caroline Nokes MP to Rt Hon Kemi Badenoch MP, Minister for Women and Equalities](#)

31 See UK Parliament, [‘11 December 2024 - The rights of older people - Oral evidence’](#), accessed 22 January 2025

of the Public Sector Equality Duty to better protect older people and other protected groups. Our Report concludes by considering the governance framework in place to protect and champion older people's rights, in particular the need for ageing and demographic change to be a much higher priority for the Government's Office for Equality and Opportunity and across all departments, and the charitable sector's call for the establishment of a Commissioner for older people in England.

2 Ageist stereotypes in the media and advertising

18. Witnesses to the inquiry identified a wide range of sources of ageist stereotypes, from throwaway jokes and comments about ageing in everyday language, to the sometimes divisive political discourse around demographic change and intergenerational fairness.³² Most witnesses emphasised the prevalence of lazy and potentially harmful ageist stereotypes in the media and argued that this was a particularly significant driver of ageism.³³ Below we examine some of these stereotypes, their prevalence in the media and advertising, and the effectiveness of current broadcasting, advertising and press standards and codes in addressing concerns about the normalisation of ageism.

Negative ageist stereotypes

19. A range of ageist stereotypes were identified, some of which are intuitively contradictory. Most witnesses emphasised stereotypes around older people's frailty, vulnerability, and dependence.³⁴ Yellow Jigsaw CIC, which runs the UK's first older people-led online news platform, *Talking About My Generation*, and others noted that these portrayals focused on older people's "supposed limitations rather than their experiences, wisdom, and contributions".³⁵
20. Witnesses noted that, conversely, older people are also frequently stereotyped as wealthy "boomers" living comfortable lives in homes they own while younger generations struggle on low incomes, unable to afford to enter the housing market and struggling with high rents.³⁶ In its 2020

32 See, for example, Flourishing Lives ([ROP0027](#)); Members of the European Network on Gerontological Social Work ([ROP0032](#)); Centre for Ageing Better ([ROP0046](#)); The Muslim Council of Britain (MCB) ([ROP0052](#))

33 See, for example, Silver Voices ([ROP0003](#)); Yellow Jigsaw CIC - talking about my generation ([ROP0007](#)); Older People's Commissioner for Wales ([ROP0026](#)); Members of the European Network on Gerontological Social Work ([ROP0032](#)); The National Pensioners' Convention ([ROP0038](#)); Centre for Ageing Better ([ROP0046](#)); Faculty of Public Health ([ROP0050](#)); Age UK ([ROP0054](#))

34 See, for example, Members of the European Network on Gerontological Social Work ([ROP0032](#)); Centre for Ageing Better ([ROP0046](#)); Mrs Maggy Pigott CBE FRSA ([ROP0023](#))

35 Yellow Jigsaw CIC ([ROP0007](#)); see, '[talking about my generation](#)', accessed 2 May 2024

36 Centre for Ageing Better ([ROP0046](#))

report, *Dodderly but dear? Examining age-related stereotypes*, the Centre for Ageing Better noted research that found that this type of generational stereotyping contributes to the “othering” of older people and divisive and harmful tensions in society. This has been described as a unique form of discrimination, as younger people essentially discriminate against their future selves, justifying attitudes towards today’s older generations that younger people would find unacceptable when they reach older age.³⁷

Prevalence and harms

21. A range of research shows that negative portrayals and under-representation of older people are common across media and advertising.³⁸ Academics representing the European Network of Gerontological Social Work cited 2021 research, which found “generalised and negative representations of older people across all forms of media”.³⁹ Research published by the Older People’s Commissioner for Wales in 2021 concluded that two thirds of articles about older people in the news media were “negative in tone or content”.⁴⁰ Silver Voices, a membership organisation for older people, reported its survey evidence that 60% of older people say they feel “angered” by negative representations of older people in the media.⁴¹ A large majority (70%) of *Talking About My Generation* readers said they “do not feel represented by mainstream media outlets”.⁴²
22. Witnesses emphasised that ageism can be deeply damaging. Experts in a range of fields, including social work, domestic abuse, housing, public health, and healthcare have noted evidence that internalised stereotypes around frailty, vulnerability, dependence, or worthlessness harm older individuals.⁴³ In some circumstances, it may make them view themselves as undeserving of help. For example, older people are less likely to report domestic abuse, and tailored resources to support those who experience

37 Centre for Ageing Better, *Dodderly but dear?: Examining age-related stereotypes*, March 2020, pp 9–10; see, Håkan Jönson, “[We Will Be Different! Ageism and the Temporal Construction of Old Age](#)”, *The Gerontologist*, vol 53 (2013), 198–204

38 See, for example, Silver Voices ([ROP0003](#)); Yellow Jigsaw CIC ([ROP0007](#)); Older People’s Commissioner for Wales ([ROP0026](#)); Members of the European Network on Gerontological Social Work ([ROP0032](#));

39 Members of the European Network on Gerontological Social Work ([ROP0032](#))

40 Older People’s Commissioner for Wales ([ROP0026](#))

41 Silver Voices ([ROP0003](#))

42 Yellow Jigsaw CIC ([ROP0007](#))

43 See, for example, *Flourishing Lives* ([ROP0027](#)); Social Work with Older People Research Project ([ROP0028](#)); Members of the European Network on Gerontological Social Work ([ROP0032](#)); Greater Manchester Ageing Hub ([ROP0049](#)); Faculty of Public Health ([ROP0050](#)); University of Edinburgh Business School ([ROP0053](#)); School of Allied Health Professionals, Nursing and Midwifery, University of Sheffield ([ROP0057](#))

it are therefore scarce.⁴⁴ Likewise, research has found that internalised ageist stereotypes are associated with reluctance to seek social work support.⁴⁵ The School of Allied Health Professionals, Nursing and Midwifery at the University of Sheffield reported evidence that internalised ageism results in unmet health needs.⁴⁶ At least one academic study has found a correlation between individuals' negative perceptions of ageing and shorter life expectancies. A longitudinal study of 600 participants aged 50 years or older found that those with more positive perceptions of ageing lived on average 7.5 years longer than those whose perceptions were more negative. This life expectancy advantage remained after considering variables including the age, gender, socioeconomic status, loneliness, and functional health of the participants.⁴⁷

Media and advertising standards and codes

Attitudes towards use of ageist stereotypes in the media and advertising

23. The Centre for Ageing Better has found that journalists and others in the traditional media (newspapers and magazines, TV, radio) recognise that the discourse and imagery used in relation to older people is often heavily based on stereotypes. Its research found a view among those working in the sector that the traditional media “revolves around evoking emotion and therefore the use of crude and limited stereotypes is not surprising.” For example, an industry stakeholder told the study:

Newspapers are looking to convey an impression very quickly, so if you are writing about old people, and it's a touchy-feely story, then the grey-haired old couple walking arm in arm up the street might well be a sort of image that comes to mind. Similarly, if you were writing about a cold snap coming up, then a lonely old person wrapped in a blanket might well be the sort of image that comes to mind.⁴⁸

44 Oral evidence taken on 10 January 2024, [Q2](#) [Heléna Herklots]; The Violence, Health, and Society (VISION) consortium ([ROP0025](#)); Aberystwyth University and Swansea University ([ROP0029](#)); Age UK ([ROP0054](#))

45 Social Work with Older People Research Project ([ROP0028](#))

46 School of Allied Health Professionals, Nursing and Midwifery, University of Sheffield ([ROP0057](#))

47 Levy, B., Slade, Martin D., Kasl, S. V., Kunkel, S. R., “[Longevity increased by positive self-perceptions of ageing](#)”, *Journal of Personality and Social Psychology*, vol 83 (2002), no.2, 261–270

48 Centre for Ageing Better, [An old age problem? How society shapes and reinforces negative attitudes to ageing](#), November 2020, p 15

24. While the Centre’s research identified “some appetite for change” within the traditional media workforce, there was little confidence that positive change would be achieved “because of the central importance of stereotypes for how this industry works [...]”.⁴⁹ Similarly to those in the traditional media, stakeholders in the advertising industry emphasised that its purpose is to “quickly convey ideas and to sell things, therefore requiring the use of crude stereotypes and stark contrasts.”⁵⁰

Broadcasting and advertising standards and codes

25. Ofcom’s statutory Broadcasting Code (required by the Communications Act 2003) sets out the rules which must be followed by TV and radio broadcasters. The Code is in ten sections. Section two, on “harm and offence”, requires broadcasters to adhere to “generally accepted standards” to ensure that any broadcast material that may cause harm and/or offence is “justified by the context”, for example the type of programme and its audience’s expectations of its content. The Code includes direct reference to the Equality Act’s protected characteristics. Harmful and/or offensive material “may include, but is not limited to”:

[...] offensive language, violence, sex, sexual violence, humiliation, distress, violation of human dignity, discriminatory treatment or language (for example on the grounds of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation, and marriage and civil partnership), and treatment of people who appear to be put at risk of significant harm as a result of their taking part in a programme.⁵¹

It contains specific sections on under 18-year-olds (section 1) and religion (section 4) but nothing specific on older people or ageing.⁵²

26. The Advertising Standards Authority (ASA), which sits at the heart of the UK’s independent advertising regulatory system, covers advertising across all media, including online. It is funded by the sector and oversees a self-

49 Centre for Ageing Better, [An old age problem? How society shapes and reinforces negative attitudes to ageing](#), November 2020, p 16

50 Centre for Ageing Better, [An old age problem? How society shapes and reinforces negative attitudes to ageing](#), November 2020, p 27

51 Ofcom, ‘[The Ofcom Broadcasting Code: Section two: Harm and offence](#)’, accessed 8 May 2024

52 Ofcom, ‘The Ofcom Broadcasting Code’, see [section one: Protecting the under-eighteens](#) and [section four: religion](#), accessed 8 May 2024

regulated code for non-broadcast advertisers and a broadcast code for TV and radio advertisers, which is co-regulated by the ASA, under contract from Ofcom.⁵³

- 27.** The non-broadcast code stipulates that advertisers “should take account of the prevailing standards in society and the context in which a marketing communication is likely to appear to minimise the risk of causing harm or serious or widespread offence.”⁵⁴ Like Ofcom’s code, it references the nine Equality Act protected characteristics:

Marketing communications must not contain anything that is likely to cause serious or widespread offence. Particular care must be taken to avoid causing offence on the grounds of age; disability; gender; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.⁵⁵

Similar to the Ofcom code, “Compliance will be judged on the context, medium, audience, product and prevailing standards.”⁵⁶

- 28.** The ASA’s broadcast code also contains a section on harm and offence. Its underlying principle is that:

Advertisements must not be harmful or offensive. Advertisements must take account of generally accepted standards to minimise the risk of causing harm or serious or widespread offence. The context in which an advertisement is likely to be broadcast must be taken into account to avoid unsuitable scheduling.⁵⁷

It goes on to state that, “Advertisements must not cause serious or widespread offence against generally accepted moral, social or cultural standards” and contains the same warning as the non-broadcast code in relation to taking particular care with reference to the Equality Act’s protected characteristics.⁵⁸

53 Advertising Standards Authority, ‘[Self-regulation and co-regulation](#)’, accessed 9 May 2024

54 Advertising Standards Authority, ‘[CAP Code: 04 Harm and offence](#)’, see Principle, accessed 9 May 2024

55 Advertising Standards Authority, ‘[CAP Code: 04 Harm and offence](#)’, see Rules, 4.1, accessed 9 May 2024

56 Advertising Standards Authority, ‘[CAP Code: 04 Harm and offence](#)’, see Rules, 4.1, accessed 9 May 2024

57 Advertising Standards Authority, ‘[BCAP Code: 04 Harm and offence](#)’, see Principle, accessed 9 May 2024

58 Advertising Standards Authority, ‘[BCAP Code: 04 Harm and offence](#)’, see Rules, 4.2, accessed 9 May 2024

29. In 2019, the ASA added new rules on gender stereotyping to its codes (section 4.9 of the non-broadcast code and section 4.14 of the broadcast code). These state that advertisements “must not include gender stereotypes that are likely to cause harm, or serious or widespread offence”.⁵⁹ The introduction of the new rules followed an ASA review of gender stereotyping in advertisements, published in 2017, which found that:

[...] certain kinds of gender stereotypes can negatively reinforce how people think they should look and behave, and how others think they should look and behave, due to their gender, which may have harmful consequences for individuals and for society.⁶⁰

The ASA has published guidance to advertisers setting out the types of content likely to fall foul of the rules on gender stereotyping.⁶¹

30. In oral evidence, our predecessor Committee explored the definitions of “generally accepted” and “prevailing” standards, harm, and offence in the context of ageism and in the light of evidence of potential and real harms to individuals and society of ageist stereotyping and age discriminatory language and imagery. They wanted to understand the extent to which the codes protect older people from harm and/or offence and help address the normalisation of ageism.⁶²
31. Kate Biggs described Ofcom’s rules as a set of “minimum standards to protect against the most egregious, harmful and offensive content.”⁶³ She insisted that ageism was taken as seriously within the rules as other forms of discrimination and that each complaint was considered on its own merits. There was, therefore, “not really an easy answer” as to what constituted generally accepted standards in relation to the portrayal of older people. She described Ofcom’s approach as follows:

We look at specific programmes and concerns raised. It really does depend on what was the language or the representation that was of concern, and whether there was any justification around that or mitigating factors in the context. It is very hard for me to answer in the hypothetical. There isn’t a clear bar. [...] We do some research to inform us, for example our offensive language research. We go out periodically to ask audiences what their views are on certain sorts of

59 Advertising Standards Authority, [‘CAP Code: 04 Harm and offence’](#), see Rules, 4.9, and Advertising Standards Authority, [‘BCAP Code: 04 Harm and offence’](#), see Rules, 4.14, accessed 9 May 2024

60 Advertising Standards Authority, [‘Depictions, Perceptions and Harm’](#) (July 2017), accessed 9 May 2024

61 Advertising Standards Authority, [‘Advertising Guidance on depicting gender stereotypes’](#) (December 2018), accessed 9 May 2024

62 Oral evidence taken on 17 April 2024 [Kate Biggs and Malcolm Phillips], [Qq184–9](#)

63 Oral evidence taken on 17 April 2024, [Q165](#)

offensive language, because it does change over time—not year by year, but as you look over 10 or 20-year horizons, people’s tolerance for different language does come and go.⁶⁴

32. Malcolm Phillips, Regulatory Policy Manager at the ASA’s sister organisation the Committee of Advertising Practice, and speaking on behalf of the ASA system, said that it took seriously its “responsibility to play our part in helping to eliminate discrimination on grounds of protected characteristics, including age.”⁶⁵ He emphasised that the threshold was “serious or widespread” harm or offence, which “might include advertising that mocks, humiliates or degrades older people or reinforces offensive stereotypes.” He confirmed this could include “generalisations about older people being senile or pitiable or incapable of carrying out certain tasks”.⁶⁶

33. Our predecessors explored how the use of certain words and phrases, such as “catastrophe language” about the ageing population, and pejorative or mocking words, for example “codger” or “dinosaur”, are viewed within the media and advertising codes. Ms Biggs and Mr Phillips emphasised the importance of context, but Mr Phillips told us that it was “difficult to see how those words could be used [in advertising] in a context where they avoid serious offence.”⁶⁷ Ms Biggs was more circumspect, emphasising that it was not Ofcom’s role to ban the broadcast of particular words or phrases. She emphasised that:

Challenging, controversial, difficult, or offensive views can be expressed on UK TV and radio, but sufficient editorial protections need to be in place around how they are contextualised. [...] If contributors or presenters use that sort of problematic language, it is the responsibility of the broadcaster to ensure that that is managed and presented in a way that does not breach our code [...].⁶⁸

34. Mr Phillips was asked whether he believed there was a case for reviewing harm and office rules and guidance in relation to older people and ageing in a similar process to that undertaken in relation to gender stereotyping in 2017–19. He believed there “potentially” was. He emphasised, however, that there had been a “sheer volume of evidence”, including substantial casework and “expert stakeholder input”, on which to draw for the review of gender stereotyping.⁶⁹ He reported that the volume of age-related harm and offence casework was comparatively small.⁷⁰ Mr Phillips also noted

64 Oral evidence taken on 17 April 2024, [Q184](#)

65 Oral evidence taken on 17 April 2024, [Q165](#)

66 Oral evidence taken on 17 April 2024, [Q185–6](#)

67 Oral evidence taken on 17 April 2024, [Q189](#)

68 Oral evidence taken on 17 April 2024, [Q188](#)

69 Oral evidence taken on 17 April 2024, [Q201](#)

70 See, for example, oral evidence taken on 17 April 2024, [Q165](#); [Q204](#) [Malcolm Phillips]; [Q181](#) [Kate Biggs]

that researching harmful gender stereotypes was “easier” because they “invoke a binary” in that they are either about gender or not, whereas ageism was often intersectional, bound up with issues of gender or race, for example.⁷¹ He confirmed, however, that the ASA was “actively considering” commissioning a specific piece of work on stereotyping around age and ageing.⁷²

35. We were heartened to learn from the Centre for Ageing Better that the ASA launched this research project in December 2024. Its aim is to consider how, and the extent to which, “certain depictions of older people in advertising can give rise to serious or widespread offence, or harm, and whether the ASA’s current approach in this area offers adequate protection to prevent any such harms.” The project is scheduled to report later this year.⁷³

36. **RECOMMENDATION**

There is clear evidence that ageist stereotyping, including portrayals of older people as frail, helpless or incompetent, or conversely as wealth-hoarding “boomers”, is highly prevalent across all media in the UK and that this is a significant contributory factor to the normalisation of ageist attitudes. Ageism causes harm both to older individuals, including when self-limiting stereotypes are internalised, and at societal level, pitting generations against each other and breeding unnecessary and unhelpful division. We believe there is a strong case for the advertising and broadcasting codes and guidance to be strengthened in relation to harm and offence arising from ageist stereotyping of all types. We welcome the Advertising Standards Authority’s (ASA) decision to launch a research project to consider the nature and extent of harm and offence caused by ageist depictions of older people in advertising with a view to strengthening its regulatory approach. The ASA should update us on progress, including a clear timeline for change, in response to this Report. We recommend Ofcom launch a similar review, and that both the ASA and Ofcom commit to introducing specific new rules and guidance to advertisers and broadcasters on avoiding harm and offence arising from ageist language and imagery.

Age diversity in the broadcasting workforce

37. Witnesses were concerned about underrepresentation of older people in advertising and the broadcast media, not only in programming, but also within the media workforce.⁷⁴ Of the three media and advertising

71 Oral evidence taken on 17 April 2024, [Q202](#)

72 Oral evidence taken on 17 April 2024, [Q165](#); [Q203](#)

73 ASA/CAP, [‘Looking into the depiction of older people in advertising’](#) (blog post, 10 December 2024), accessed 20 January 2025

74 Yellow Jigsaw CIC ([ROP0007](#)); Centre for Ageing Better ([ROP0046](#))

watchdogs and regulators that gave evidence, only one, Ofcom, has a clear responsibility for monitoring and encouraging diversity in the media workforce. It has identified equity, diversity, and inclusion (EDI) as a priority area.⁷⁵

38. Ofcom has been reporting annually on EDI in broadcasting, on “both sides of the camera”, since 2017.⁷⁶ Its 2023–24 report showed that 25% of the TV workforce and 16% of people working in radio were aged 50+, both significantly lower than the UK working population benchmark of 33%. The percentage point gaps between the proportion of 50+ workers in radio and TV and the working population benchmark are some of the largest across all groups, exceeding, for example, underrepresentation of minority ethnic groups and disabled people. Lesbian, gay, bi-sexual and other sexual orientation minorities are overrepresented in the broadcasting workforce.⁷⁷ Despite the glaring underrepresentation of older workers, broadcasters’ age inclusivity is not flagged in Ofcom’s report as a priority for broadcasters’ EDI strategies.

39. Ofcom was asked if it considered the marked lack of age diversity in the broadcasting workforce a significant problem, which may be contributing to ageist attitudes in the sector. Kate Biggs, Ofcom’s Director of Public Policy, noted that since it began monitoring EDI seven years ago:

Age has not been a prevalent concern based on the evidence we have collected, partly because older employees are relatively well represented in the more senior positions. That is not to say that improvements cannot be made, so we are very happy to look at that. [...] our priority concerns at the current time have been around disabled employees and those from certain ethnicities, including south Asian.⁷⁸

75 See Ofcom, ‘[Equity and diversity: Ofcom’s role and resources](#)’, accessed 20 January 2025

76 For Ofcom’s annual EDI reports since 2017, see ‘[Ofcom, Report: Equity, Diversity and Inclusion in broadcasting](#)’, accessed 20 January 2025

77 Ofcom, [Equity, Diversity and Inclusion in Broadcasting: 2023/24](#), December 2024, figures 1 and 2

78 Oral evidence taken on 17 April 2024, [Q172](#)

40. **RECOMMENDATION**

We welcome Ofcom’s prioritisation of equity, diversity, and inclusion (EDI) and its annual report on EDI in the broadcasting workforce. We note, however, that, despite glaring underrepresentation of older people in radio and television, this is not currently a priority area for Ofcom or the sector. We believe increased age diversity in the workforce has the potential to significantly reduce ageist attitudes in the media. We therefore recommend Ofcom ensure an increased focus on analysis of age diversity in its future reports on EDI in broadcasting, and promote equal prioritisation of age diversity alongside gender, racial and ethnic, LGBT+ and disability diversity across all age groups in the EDI strategies of broadcasters.

Press standards and codes

41. The Independent Press Standards Organisation (IPSO) is an independent, member-funded regulator of more than more 1,500 print titles and over 1,000 online publications.⁷⁹ It was established to replace the Press Complaints Commission in 2014, in the aftermath of the phone hacking scandal and phase 1 of the Leveson Inquiry. Its membership includes almost all of the major national newspapers. A much smaller number of publications (around 200) have signed up for regulation by the “Leveson-compliant”, approved independent regulator, The Independent Monitor for the Press (Impress).⁸⁰
42. Publications signed up to IPSO agree to adhere to the Editors’ Code of Practice (Editors’ Code). This sets out rules in 16 clauses and an overarching public interest clause.⁸¹ IPSO investigates and rules on complaints about alleged breaches of the Editors’ Code, provides arbitration, and produces guidance for publishers on a range of issues.⁸²
43. Several witnesses were concerned that the Editors’ Code does not provide explicit protection against ageism. Clause 12 on discrimination stipulates that:
 - 1) The press must avoid prejudicial or pejorative reference to an individual’s race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability.

79 See, ‘[Independent Press Standards Organisation](#)’, accessed 9 May 2024

80 For a fuller summary, see *Press regulation after Leveson*, Briefing Paper [07576](#), July 2018, section 1.1.; see also, ‘[Impress](#)’, accessed 9 May 2024

81 Independent Press Standards Organisation, ‘[Editors’ Code of Practice](#)’, accessed 9 May 2024

82 See, Independent Press Standards Organisation, ‘[What we do](#)’, accessed 9 May 2024

2) Details of an individual’s race, colour, religion, gender identity, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.⁸³

44. Organisations including the Centre for Ageing Better and the Royal Society for Public Health have noted the omission of age from clause 12 and called for its inclusion.⁸⁴ The Centre for Ageing Better told our predecessor Committee that its omission meant there were effectively “no standards that the press must adhere to on age” and argued that IPSO should address this to “bring it in line with the Equality Act 2010 [...] and ensure that age is treated equally to other forms of discrimination.”⁸⁵ In 2018, The Royal Society for Public Health concluded:

Given the wealth of evidence on the harms of ageism, and its status as the most commonly experienced form of discrimination, it is unacceptable that a person’s age continues to go missing from this list. There would be strong public support for correcting this, four in five (80%) agreeing that journalists should not be allowed to discriminate on the basis of age. This change would constitute an important symbolic step towards recognising the status of ageism as a real and damaging prejudice and acting as a sorely needed standard by which thoughtless, harmful journalism can be held to account.⁸⁶

45. In January 2024, the then Commissioner for Older People in Wales, Heléna Herklots, said that both she and a minister in the Welsh Government had called on IPSO to include age in clause 12, but neither had received a “particularly positive response”.⁸⁷ It was clear from the follow up evidence we heard in December 2024 that there had still not been any progress.⁸⁸
46. In a blog piece published in response to The Royal Society of Public Health’s 2018 report, IPSO emphasised that the Editors’ Code sought to “strike the right balance” between the rights of individuals and freedom of speech. The piece referenced guidance in the Editors’ Codebook, which further explains the position.⁸⁹ It states:

83 Independent Press Standards Organisation, ‘[Editors’ Code of Practice](#)’, clause 12, accessed 9 May 2024

84 Centre for Ageing Better ([ROP0046](#)); Royal Society for Public Health, [The Age Old Question: How attitudes to ageing affect our health and wellbeing](#), May 2018, p 36

85 Centre for Ageing Better ([ROP0046](#))

86 Centre for Ageing Better ([ROP0046](#)); Royal Society for Public Health, [The Age Old Question: How attitudes to ageing affect our health and wellbeing](#), May 2018, p 36

87 Oral evidence taken on 10 January 2024, Q3 [Heléna Herklots]

88 Q267 [Dr Easton]

89 “[IPSO Blog: Striking a balance – positive and negative stereotypes in the media](#)”, IPSO, 13 June 2018

Age is not one of the categories covered by Clause 12. This is because reporting a person’s age, like stating their sex, is not discriminatory and it would preclude fair comment on politicians, athletes, actors, and others who might be argued to be past their prime.⁹⁰

47. When questioned about the omission of age from clause 12, Alice Gould, IPSO’s Head of Complaints, repeatedly emphasised the importance of freedom of expression.⁹¹ Our predecessors wanted to know how older people were protected from discrimination in the press while age continued to be omitted from clause 12. She could not give any specific examples to demonstrate how older people could currently use the Editors’ Code to challenge age discrimination through IPSO’s complaints system. She noted, however, that IPSO had published guidance produced by older people’s charities on age discrimination for use by journalists. She reported that IPSO also provides relevant standards training and had held an advisory panel on “older people’s representation in the news.”⁹²
48. Our predecessors put it to Ms Gould that the current guidance to journalists in the Editors’ Codebook on interpretation of the Editors’ Code, stating that the press must be free to comment on public figures who are “passed their prime”, was overtly ageist in itself. She noted that the content of the Codebook and the Editors’ Code was the responsibility of “a separate body called the Editors’ Code of Practice Committee”, to which any suggested changes should be submitted.⁹³

49. **RECOMMENDATION**

The Editor’s Code of Practice must balance the rights of individuals to protection from discrimination with freedom of expression in the press. The complete omission of age from clause 12 on discrimination gets this balance wrong, leaving older people unprotected and contributing to a widely held perception that ageism is taken less seriously than other forms of discrimination. There is no reason why age should not be included in the Editor’s Code of Practice with the same caveat on genuine relevance to the story as other categories currently covered by clause 12. The justification of the omission of age from clause 12, set out in the Editors’ Codebook, that journalists must be free to comment on public figures who are “past their prime” is itself overtly ageist. We recommend the Editors’ Code of Practice Committee include age in clause 12 of the Editors’ Code of Practice and update the Editors’ Codebook accordingly.

90 Editors’ Code of Practice Committee, [The Editors’ Codebook](#), 2024, p 114

91 Oral evidence taken on 17 April 2024, [Q190](#); [Q228](#); [Q230](#)

92 Oral evidence taken on 17 April 2024, [Q183](#); [Q195](#)

93 Oral evidence taken on 17 April 2024, [Q190](#)

3 Digital exclusion

Older age and digital exclusion

50. Digital exclusion occurs when individuals and sections of society are unable to use the internet in ways that are required to fully participate in society.⁹⁴ While we are wary of perpetuating an ageist stereotype around older people’s use of modern technology, digital exclusion was flagged as a key issue by almost all witnesses to this inquiry.⁹⁵ A range of witnesses emphasised that the response to Covid-19 had precipitated a move to “digital by default” services across society.⁹⁶ Heléna Herklots, then Older People’s Commissioner for Wales, said that digital exclusion was an increasingly prevalent problem:

As more and more aspects of everyday life move online or incorporate elements of digitalisation, the issue of digital exclusion broadens into one of social exclusion more broadly. Older people report being made dependent and forced to rely on others; being left behind; feeling “inadequate, unintelligent, not part of twenty-first century”; and “past my sell by date”.⁹⁷

51. Older age is not in itself a cause of digital exclusion; indeed, many older people are pioneers and early adopters of digital technologies, but it correlates very strongly with some of the key measures. For example, Ofcom’s 2023 figures on access to the internet at home show that 6% of all adults lacked access, whereas the proportion among people aged 75+ was 29%.⁹⁸ Data published by Uswitch on smartphone ownership in 2024, show that 80% of over-65s owned a smartphone; compared to 98% of 16–24-year-olds; and 86% of people aged 55–64 years.⁹⁹ Dr Emilene Zitkus, an academic specialist in inclusive design at Loughborough University,

94 House of Lords Communications and Digital Committee, 3rd Report of Session 2022–23, [Digital exclusion](#), HL Paper 219, para 6

95 Key submissions included: Citizens Online ([ROP0031](#)); Dr Emilene Zitkus ([ROP0011](#)); Age UK ([ROP0054](#)); Centre for Ageing Better ([ROP0046](#)); Independent Age ([ROP0042](#)); Equality and Human Rights Commission ([ROP0056](#)); Older People’s Commissioner for Wales ([ROP0026](#))

96 See, for example, Equality and Human Rights Commission ([ROP0056](#)); The London Age Friendly Forum ([ROP0058](#)); Faculty of Public Health ([ROP0050](#))

97 Older People’s Commissioner for Wales ([ROP0026](#))

98 Ofcom, [Adults’ Media Use and Attitudes report 2024](#), April 2024

99 Uswitch, [UK mobile phone statistics, 2024](#), accessed 24 January 2025

noted that these figures masked the true extent of older people’s exclusion. For example, within the group of older people who own smartphones, 50% require support from others to use them to access online services.¹⁰⁰

Key areas of concern

52. Digital exclusion can affect participation in almost all areas of life. Evidence to this inquiry tended to emphasise three key areas:

Local authority services and benefits

53. Witnesses were concerned that many local councils had moved key services online without providing easily accessible offline alternatives.¹⁰¹ For example, the Older People’s Commissioner for Wales and others noted that an increasing number of local authority car parks had moved to payment by a variety of different mobile apps, excluding older people without a smartphone and limiting their social activities and access to nearby essential services, including healthcare and shopping.¹⁰² The Older People’s Commissioner for Wales also observed that older people reported being unable to apply to councils for Blue Badge disabled parking permits offline, “with alternative options—in person at libraries or hubs or over the phone—not being highlighted when engaging with contact centres.”¹⁰³ Later Life Ambitions, a coalition of pensioners’ organisations, noted research by *LocalGov*, which found that a quarter of London councils only allowed online applications for Blue Badges.¹⁰⁴ Council-administered benefits were also a major concern. For example, Age UK and Independent Age, a charity that supports older people on low incomes, flagged concerns about older people accessing offline information and applying for Council Tax Reduction (CTR).¹⁰⁵ *LocalGov*’s research found that a third of councils in London only allowed online applications for Housing Benefit and CTR.¹⁰⁶

100 Oral evidence taken on 7 February 2024, [Q98](#)

101 See, for example, Older People’s Commissioner for Wales ([ROP0026](#)); Citizens Online ([ROP0031](#)); Independent Age ([ROP0042](#)); Later Life Ambitions ([ROP0043](#))

102 Older People’s Commissioner for Wales ([ROP0026](#)); see also, for example, Later Life Ambitions ([ROP0043](#)); Greater Manchester Ageing Hub ([ROP0049](#))

103 Older People’s Commissioner for Wales ([ROP0026](#))

104 Later Life Ambitions ([ROP0043](#)); see, “[Why councils should worry about digital exclusion](#)”, *LocalGov*, 27 January

105 Independent Age ([ROP0042](#)); Age UK ([ROP0054](#))

106 Later Life Ambitions ([ROP0043](#)); see, “[Why councils should worry about digital exclusion](#)”, *LocalGov*, 27 January

Access to healthcare

54. Access to healthcare, particularly online booking systems for GP appointments, was a key issue for older people.¹⁰⁷ Participants in the public engagement event expressed frustration that they could not book GP appointments at their local surgery, and were forced to book from home, either online or over the telephone.¹⁰⁸ They emphasised the importance for many older people of continuity of care, and the preference of many for face-to-face consultations with their own GP, avoiding the need to “constantly re-tell” their medical story to different healthcare professionals. Age UK explained:

Many GP surgeries are strongly encouraging patients to book appointments online. While telephoning for an appointment may be an option, it can be very difficult to get through. Ordering repeat prescriptions is also an issue for many older people who cannot do this online. Older people have reported that they want to feel independent but changes like this mean they often have to rely on others, and they feel excluded and useless. People are also directed to online services to book hospital appointments and to get health information. In some situations, these barriers may make people more reluctant to seek help.¹⁰⁹

Banking

55. Many witnesses were concerned about the proliferation of online and mobile banking, particularly in the context of increasing bank branch closures and poor internet connectivity in some areas (see below).¹¹⁰ Access to banking was a key concern raised at the public engagement event, with some older people saying that they did not want to use online banking and preferred human contact with branch staff. Branch closures were therefore a “big issue”. Some emphasised that older people’s reliance on others to help them with digital banking tasks left them at risk of financial abuse and scams.¹¹¹ Participants welcomed the rollout of consolidated “banking hubs” in some areas where branches had closed. One older man argued that the banks ought to be required to establish banking hubs before closing more branches.¹¹²

107 See, for example, The Scottish Women’s Convention (SWC) ([ROP0010](#)); Dr Emilene Zitkus ([ROP0011](#)); Dr. Efraxia D. Zamani ([ROP0020](#)); Later Life Ambitions ([ROP0043](#))

108 See [Annex: summary note of public engagement event in Andover, Monday 18 March 2024](#)

109 Age UK ([ROP0054](#))

110 See, for example, Mrs Maggy Pigott CBE FRSA ([ROP0023](#)); Older People’s Commissioner for Wales ([ROP0026](#));

111 Aberystwyth University and Swansea University ([ROP0029](#)); Older People’s Commissioner for Wales ([ROP0026](#))

112 [Annex: summary note of public engagement event in Andover, Monday 18 March 2024](#)

56. In January 2024, in oral evidence on access to cash, the Financial Conduct Authority (FCA), the banking regulator, told the Treasury Sub-Committee on Financial Services Regulations that it expected 50 banking hubs to have been established by Easter 2024. This was less than half the number recommended by LINK, the UK’s cash machine network. The FCA said it was “encouraging the banks to speed up the process of delivering banking hubs.”¹¹³ By the time we heard follow up oral evidence in December 2024, 162 banking hubs had been announced, with at least 76 in operation.¹¹⁴ Caroline Abrahams of Age UK described this as “very welcome” progress but argued that the provision of banking hubs was only part of the solution to older people’s digital exclusion from banking services; it could not solve the problem on its own.¹¹⁵

The drivers of digital exclusion

57. Older people are digitally excluded for a range of often intersecting reasons. They may lack experience, and the requisite confidence and skills, to use digital technology, or lack access to the internet, which in turn may be related to affordability, housing circumstances or geography, for example in places where internet connectivity is poor or absent.¹¹⁶ As noted above, some older people appear to be fully online, with broadband at home and a smartphone, but are fully or partly reliant on others to help them complete online tasks. Those without access to support, whether formal, such as local digital skills classes, or informal support from relatives or friends, are therefore particularly at risk of being excluded.¹¹⁷

Affordability

58. Affordability of home broadband and mobile internet contracts was a strong theme in the evidence.¹¹⁸ Independent Age said it was concerned about older people who could no longer afford their broadband contracts in the

113 Oral evidence heard before the Treasury Sub-Committee on Financial Services Regulations, [HC 493](#)

114 “[LINK announces 15 new banking hubs as new Access to Cash regulations come into effect](#)”, LINK press release, 18 September 2024

115 Q258

116 See, for example, Citizens Online ([ROP0031](#)); Dr Emilene Zitkus ([ROP0011](#)); Age UK ([ROP0054](#)); Centre for Ageing Better ([ROP0046](#)); Independent Age ([ROP0042](#)); Equality and Human Rights Commission ([ROP0056](#)); Older People’s Commissioner for Wales ([ROP0026](#))

117 See, for example, Dr Emilene Zitkus ([ROP0011](#)); Citizens Online ([ROP0031](#)); oral evidence taken on 7 February 2024, [Q98](#) [Emilene Zitkus]; oral evidence taken on 7 February 2024, [Q102](#) [Helen Dobson]; oral evidence taken on 7 February 2024, [Q115](#) [Cllr Gillian Ford]

118 See, for example, Dr. Efraxia D. Zamani ([ROP0020](#)); The National Pensioners’ Convention ([ROP0038](#)); Independent Age ([ROP0042](#)); Greater Manchester Ageing Hub ([ROP0049](#))

context of cost of living pressures, and those who had never been able to afford to get online. It shared results from nationally representative polling in April-May 2023, which showed that: 48% of people aged 65 and over on a low income in Great Britain had struggled to keep up with their broadband bills over the past six months; 30% were worried about not being able to meet their broadband/internet bills when thinking about their financial situation over the next six months; 30% were cutting back their spending on internet, phone or television subscription services; and 9% had cancelled their internet or phone services over the winter months to save money, while another 4% had already cancelled them before the winter for the same reason.¹¹⁹

- 59.** Witnesses, including Independent Age and leading digital inclusion charity Citizens Online, noted that broadband and mobile providers offered cheaper social tariffs for people on some benefits, including Pension Credit for those of state pension age.¹²⁰ Social tariffs typically offer broadband speeds sufficient to stream films, video call or shop online and cost around £12 to £20 per month. Average mainstream tariffs are around £30 per month.¹²¹ Independent Age’s analysis was that on average broadband social tariffs could save older people around £17 per month (about £200 per year), a significant sum for those on low incomes.¹²²
- 60.** Witnesses, however, noted that awareness and take up of social tariffs were low.¹²³ In April 2023, Ofcom’s research found that around half of low-income households were unaware of the tariffs.¹²⁴ The House of Lords Communications and Digital Committee found that take up had risen in recent years but remained low. In January 2022, only 1.2 per cent of eligible households (across all age profiles) had taken up social tariffs; this had risen to 5.1 per cent by April 2023, which represented 220,000 of around 4.3 million eligible households.¹²⁵
- 61.** Witnesses urged action to promote awareness and take up of social tariffs and qualifying benefits, particularly Pension Credit, take up of which is also markedly low, at around 63% of eligible households in the period 2014 to

119 Independent Age ([ROP0042](#)); oral evidence taken on 10 January 2024, [Q51](#) [Joanna Elson]

120 Independent Age ([ROP0042](#)); oral evidence taken on 10 January 2024, [Q51](#) [Joanna Elson]; oral evidence taken on 7 February 2024, [Q102](#) [Helen Dobson]

121 House of Lords Communications and Digital Committee, 3rd Report of Session 2022–23, [Digital exclusion](#), HL Paper 219, paras 81–96

122 Independent Age ([ROP0042](#))

123 See, for example, Dr. Efpraxia D. Zamani ([ROP0020](#)); Citizens Online ([ROP0031](#)); Independent Age ([ROP0042](#))

124 “[Half of low-income households in the dark over broadband social tariffs](#)”, Ofcom press release, 24 April 2023

125 House of Lords Communications and Digital Committee, 3rd Report of Session 2022–23, [Digital exclusion](#), HL Paper 219, para 82

2022.¹²⁶ While the DWP has taken steps to promote take up of Pension Credit, particularly in the context of the Government’s decision to means test Winter Fuel Payments based on pensioners’ receipt of the benefit, last year it estimated that around 880,000 eligible households were not claiming Pension Credit.¹²⁷ Joanna Elson of Independent Age noted that the Older People’s Commissioner for Wales had successfully worked to boost take up of Pension Credit and social tariffs in Wales and argued that this was work that could be replicated by a Commissioner in England (see chapter 5).¹²⁸

62. The group of older people our predecessors spoke to during its public engagement event had heard of social tariffs but reported that it was difficult to find information about them. Where information existed, it was typically online and hard for some older people to find. There was a strong perception in the group that providers made little effort to ensure older people always had access to the cheapest broadband and mobile internet rates. One participant told us her emails to providers about the availability of social tariffs had been ignored.¹²⁹

63. **RECOMMENDATION**

Social broadband and mobile phone tariffs can allow eligible low-income households to make significant savings on their bills, yet few eligible older people are aware of them. The Government should work with groups representing older people and broadband and mobile phone network providers to ensure the provision and promotion of social broadband and mobile phone network tariffs for older people on lower incomes. We further recommend the Government consider strengthening the relevant regulatory regimes to ensure that adequate social tariff options are available and promoted, enforced via financial penalties for providers’ non-compliance if necessary.

Connectivity

64. Witnesses raised concerns about poor internet connectivity in places where older people are more likely to live.¹³⁰ The Chief Medical Officer’s 2023 annual report on health in an ageing society drew attention to an increasing migration of older people away from urban areas to rural and coastal

126 Department for Work and Pensions, ‘[Income-related benefits: estimates of take-up: financial year ending 2022](#)’ (updated January 2025), accessed 22 January 2025

127 “[Pension Credit awareness drive as thousands of eligible pensioners yet to claim](#)”, DWP press release, 20 August 2024

128 Oral evidence taken on 10 January 2024, [Q51](#)

129 See [Annex: summary note of public engagement event in Andover, Monday 18 March 2024](#)

130 Citizens Online ([ROP0031](#)); Greater Manchester Ageing Hub ([ROP0049](#)); Age UK ([ROP0054](#))

places, where connectivity is much more likely to be poor.¹³¹ Helen Dobson, Managing Director of Citizens Online, flagged poor internet coverage in places including north Wales, Derbyshire, North Yorkshire, and West Sussex and noted that there were still “blank spots” in many other parts of the UK.¹³² The House of Lords Communications and Digital Committee reported that “super-fast gigabit broadband” speeds are available to 76 per cent of urban homes, but only 37 per cent of homes in rural areas. It noted that around three per cent of England’s rural landmass was “made up of not spots”, where there was no 4G coverage. This figure in Scotland was 17 per cent.¹³³

65. Witnesses agreed that measures to increase good quality internet coverage in rural and coastal areas were key to increasing older people’s digital inclusion. Helen Dobson told us it was a problem that “must be cracked”.¹³⁴ Councillor Gillian Ford, representing the Local Government Association (LGA), argued that faster progress in the Government’s Project Gigabit programme, which aims to “level up” fast internet access in rural and other “hard to reach” areas, was “crucial”.¹³⁵

Alternatives to digital alongside digital inclusion support

66. Several witnesses argued that digitalisation of services must be complemented by “equally satisfying” offline alternatives, particularly where there was demand for those services by older people.¹³⁶ Caroline Abrahams of Age UK argued that “any service that is likely to be used by an older person needs to have an offline accessible alternative.” She reported, however, that provision of easily accessible alternatives to digital was “very mixed”:

In many cases, there is a good offline alternative, in theory, but it is not publicised. The people who are on the phone line, if you can ever find the number for your council, do not necessarily know about it, or they might be great, and they might be really good at directing you towards

131 Chief Medical Officer’s Annual Report 2023, [Health in an Ageing Society: Executive summary and recommendations](#), November 2023; See also, Q124 [Dr Emilene Zitkus]

132 Oral evidence taken on 7 February 2024, [Q123](#)

133 House of Lords Communications and Digital Committee, Third Report of Session 2022–23, [Digital exclusion](#), HL Paper 219, paras 118–126

134 Oral evidence taken on 7 February 2024, [Q123](#)

135 Oral evidence taken on 7 February 2024, [Q122](#)

136 Dr Emilene Zitkus ([ROP0011](#)); oral evidence taken on 10 January 2024, [Q47](#) [Heléna Herklots]; [Q49](#) [Caroline Abrahams]

it, or they might just say, “Go and talk to your local Age UK, and they’ll help do it for you,” but without either telling us or giving us any money to do it.¹³⁷

This was reflected in the lived experiences of older people our predecessor Committee spoke to during its public engagement event. They believed all types of services should maintain equally satisfying offline access for as long as it is needed.¹³⁸

- 67.** In relation to support for digital skills, expert witnesses reported that the most successful provision for older people tended to be “locality led”, “embedded in community settings, rather than a formal training course.”¹³⁹ Suggestions for the best local venues for providing IT training and support to older people included those used by “trusted organisations” such as “drop-in centres, libraries, clubhouses, schools, pubs, and shops”.¹⁴⁰
- 68.** Digital inclusion experts, advocacy organisations, and older people themselves, were concerned, however, that years of severe budget pressures on local authorities had led to widespread withdrawal of non-statutory locally funded digital skills provision, for example in libraries. They noted that digital exclusion had been exacerbated by a move to “digital by default” local services, primarily to cut costs. Witnesses reported that many services that had moved online, through necessity, during the Covid-19 pandemic had remained exclusively online for financial reasons.¹⁴¹ This was also echoed by participants in the public engagement event.¹⁴²
- 69.** Witnesses argued that effective digital skills provision needed to focus on older people’s needs and preferences. Heléna Herklots said:

It is about taking it out of the classroom, where you are made to feel stupid, into somewhere, for example, like a library or a place that you usually go. The [support] should relate to what you want to use digital for, and it should be sustained.¹⁴³

Similarly, Citizens Online reported that:

Digital inclusion support is best when designed to be person centred [...] support provided should be based on the needs, abilities, and interests of learners. Using the internet to do admin, such as ordering

137 Oral evidence taken on 10 January 2024, [Q49](#)

138 See [Annex: summary note of public engagement event in Andover, Monday 18 March 2024](#)

139 Greater Manchester Ageing Hub ([ROP0049](#))

140 Greater Manchester Ageing Hub ([ROP0049](#)); see also, Dr. Efraxia D. Zamani ([ROP0020](#)); Citizens Online ([ROP0031](#))

141 See, for example, The Scottish Women’s Convention (SWC) ([ROP0010](#)); Dr Emilene Zitkus ([ROP0011](#))

142 See [Annex: summary note of public engagement event in Andover, Monday 18 March 2024](#)

143 Oral evidence taken on 10 January 2024, [Q47](#)

prescriptions, shopping or paying council tax is not likely to be the first thing to motivate people with low digital confidence to want to learn to use digital services. Instead, the support should be tailored to what is important to each individual.¹⁴⁴

- 70.** Citizens Online and academic witnesses pointed to best practice examples, which tended to be collaborative, involving a range of local services referring people to available support.¹⁴⁵ Citizens Online noted examples of successful “Digital Inclusion Networks”, which “bring local organisations together to raise awareness of what support is available locally” and “develop capacity and digital inclusion knowledge among local organisations”. These included 100% Digital Leeds, Digital Brighton and Hove and Digital Support Derbyshire.¹⁴⁶ Helen Dobson referred to other “pockets of really good practice” in Dorset and Greater Manchester.¹⁴⁷
- 71.** Councillor Ford, speaking for the LGA, reported that local authorities were piloting a variety of models of support, including “digital champion” models, in which a single point of contact for referrals to support was embedded in local services.¹⁴⁸ The LGA wanted to see “digital champions” in every local authority but emphasised that councils’ budget pressures were a major constraint.¹⁴⁹

[...] councils are well placed to help tackle digital exclusion and are keen to play a major role in doing so but severe funding pressures make it difficult to protect non-statutory activities. Central government support is required to ensure that local digital inclusion initiatives are continued and enhanced to continue to support older people from being digitally excluded. [...] Given the right funding and opportunity to work in partnership with Government and providers, councils can play a far greater role targeting communities most in need, driving up demand and providing digital upskilling.¹⁵⁰

Need for an updated Government strategy

- 72.** Witnesses noted that the UK Government’s digital inclusion strategy had not been updated since December 2014. They argued that it was long overdue a refresh given the pace of technological change affecting society over the

144 Citizens Online ([ROP0031](#))

145 Citizens Online ([ROP0031](#)); Dr Emilene Zitkus ([ROP0011](#)); Dr. Efraxia D. Zamani ([ROP0020](#))

146 Citizens Online ([ROP0031](#))

147 Oral evidence taken on 7 February 2024, [Q112](#)

148 Oral evidence taken on 7 February 2024, [Q111](#)

149 Oral evidence taken on 7 February 2024, [Q111](#)

150 Local Government Association ([ROP0034](#))

last decade.¹⁵¹ The House of Lords Communications and Digital Committee concluded that the previous Governments had “taken their eye off the ball”. Not only had there been no update to the strategy, there had not been a progress report on its implementation since 2015.¹⁵²

- 73.** Age UK argued that this demonstrated a “lack of government leadership” on digital inclusion. It called for the Government to “lead on the development of a long-term, fully funded national Digital Inclusion Strategy, to support people of all ages who want to go online to do so.”¹⁵³ A range of witnesses argued that the needs of older people should be a key part of any new strategy, including measures to address the range of issues and barriers highlighted in the inquiry. Councillor Ford of the LGA called for the needs of rural and coastal communities to be included.¹⁵⁴ Dr Emilene Zitkus urged a focus on best practice in the provision of equally satisfying offline alternatives to digital.¹⁵⁵ Helen Dobson of Citizens Online argued that an updated strategy needed to go further in setting out how funded digital skills provision could be provided, noting that:

In the 2014 strategy, the only real bit around skills talks about libraries as the point of access. Again, as we said today, they are important, but there needs to be more than that. If we think about how that has not changed in 10 years, that is a good reason why people’s essential digital skills have not shifted either. There needs to be more variety of provision, but again this comes down to funding.¹⁵⁶

- 74.** The new Government’s Minister of State for Media, Tourism and Creative Industries, Sir Chris Bryant MP, has described the lack of an updated digital inclusion strategy as a “scandal” and indicated in January 2025 that the Government intends to make further announcements “soon”.¹⁵⁷

151 See, for example, Greater Manchester Ageing Hub ([ROP0049](#)); Local Government Association ([ROP0034](#)); see, Cabinet Office/Government Digital Service, ‘[Policy paper: Government Digital Inclusion Strategy](#)’ (updated December 2014), accessed 20 May 2024

152 House of Lords Communications and Digital Committee, Third Report of Session 2022–23, [Digital exclusion](#), HL Paper 219, paras 53–62

153 Age UK ([ROP0054](#))

154 Oral evidence taken on 7 February 2024, [Q125](#)

155 Oral evidence taken on 7 February 2024, [Q127](#)

156 Oral evidence taken on 7 February 2024, [Q127](#)

157 [Digital Technology: Disadvantaged](#), PQ 6591, 4 October 2024; [Digital Technology: Disadvantaged](#), PQ 901954, 19 December 2024

75.

CONCLUSION

Older age is not in itself a cause of digital exclusion but strongly correlates with some of the key measures, including lack of broadband at home and non-ownership of a smartphone. There is also a large number of “hidden” digitally excluded older people: those who appear to be online, having broadband at home and owning a smartphone, but who lack the requisite confidence and skills to complete digital tasks without support. There has been a huge proliferation of digital technology and adoption of digital by default services across society, including in local authority services, banking, and healthcare, driven in part by cost savings and budgets cuts and exacerbated by the response to the Covid-19 pandemic. In this context, it is a considerable failure of government that the Digital Inclusion Strategy has not been updated, nor progress tracked, for a decade. We welcome the Government’s intention to remedy this as a priority.

76.

RECOMMENDATION

The Government must bring forward a refreshed Digital Inclusion Strategy. The Strategy should have a detailed focus on the needs of digitally excluded older people, including a plan for funding locally delivered digital skills provision and promoting best practice in the public and private sectors in maintaining offline alternatives to digital for as long as needs remain, and a focus on broadband connectivity in rural and coastal areas.

4 Equality law and enforceability of older people’s rights

77. As noted in chapter 1, older people are protected against age discrimination at work, and have been more widely protected in relation to services, public functions, and associations since provisions of the Equality Act 2010 came into force in 2012.¹⁵⁸ As discussed throughout this Report, however, there is a widely held perception that age discrimination is treated less seriously than other forms of discrimination such as sexism, racism, and homophobia. There is a view that the way age discrimination is framed in equality law makes a significant contribution to this perception.¹⁵⁹ In this chapter we examine that view in the light of evidence from leading academic and practising lawyers and the Equality and Human Rights Commission (EHRC) and consider the case for review and potential legal reform.

Objective justification of direct age discrimination

78. Age is one of nine protected characteristics set out in the Equality Act 2010. Age is treated differently, however, in that the law allows objective justification of *direct* age discrimination (less favourable treatment of individuals based on their age) which is not the case with other protected characteristics - for those, objective justification is only allowed in relation to *indirect* discrimination (arising from policies that apply to everyone but disadvantage a group who share a characteristic).¹⁶⁰ In essence, this means that employers are permitted to treat older individuals less favourably where it can be objectively justified as a “proportionate means of achieving a legitimate aim” - such an act would breach the law if it were

158 The Employment Equality (Age) Regulations 2006; Equality Act 2010; see also, GOV.UK, ‘[Equality Act 2010: guidance \(age discrimination\)](#)’, accessed 21 May 2024

159 Dr Alysia Blackham ([ROP0017](#)); see also, Alysia Blackham, *Reforming Age Discrimination Law: Beyond Individual Enforcement* (Oxford University Press), 2022

160 Equality and Human Rights Commission, ‘[Direct and indirect discrimination](#)’, accessed 21 May 2024

based on other characteristics, such as sex, sexual orientation and race.¹⁶¹ The EHRC has noted some examples in which treating people differently because of their age may be lawful if objectively justified, including “taking positive action to encourage or develop people in an age group that is under-represented or disadvantaged in a role or activity” and setting a compulsory retirement age if this can be “clearly justified” in relation to a particular role.¹⁶²

Symbolic and practical effects

79. Dr Alysia Blackham, an Associate Professor of discrimination and equality law at the University of Melbourne Law School, cited evidence from her comparative research that suggests the way that age is treated in UK law has “devalued” age as a protected ground and has had a “symbolic impact on the way age discrimination law is perceived and regarded.”¹⁶³ She believed there was “a strong argument that the way the law is currently framed exacerbates the acceptance of age discrimination.”¹⁶⁴

80. Dr Blackham emphasised that survey evidence “repeatedly backs up” the conclusion that a significant number of older people experience age discrimination at work, and more widely, but there were “very low numbers of complaints of age discrimination from older workers”. Her “best guess estimate”, from analysis of cases brought at employment tribunals, was that only 0.08 per cent of “possible claims by older workers” were brought.¹⁶⁵ She believed low case numbers may in part be explained by internalised ageist stereotypes. She explained that:

One of the real challenges in this space is that, because age discrimination is so accepted and socially acceptable at present, people often internalise it. Internalised age discrimination may mean that people are less likely to bring a complaint when they experience discrimination. They may say, “Well, I’m getting older. Maybe I deserved it. Maybe it is time for me to retire.” Of course, that is not necessarily the case; it is very likely to be discrimination and a claim might be successful, but the claims are not brought.¹⁶⁶

81. Dr Blackham reported that two thirds of age discrimination cases filed were subsequently withdrawn or not pursued further. She suggested that this was “perhaps attributable to the fact that direct age discrimination

161 The Employment Equality (Age) Regulations 2006; Equality Act 2010; see also, GOV.UK, ‘[Equality Act 2010: guidance \(age discrimination\)](#)’, accessed 21 May 2024

162 Equality and Human Rights Commission, ‘[Age discrimination](#)’, accessed 21 May 2024

163 Dr Alysia Blackham ([ROP0017](#))

164 Oral evidence taken on 7 February 2024, [Q68](#)

165 Oral evidence taken on 7 February 2024, [Q69](#)

166 Oral evidence taken on 7 February 2024, [Q78](#)

can be objectively justified”. She also posited that where people had more than one ground for a claim, they may be “abandoning the age component of that claim rather than pursuing it, because of that risk of a justification defence” (see intersectionality, below). Her research also showed that age discrimination cases that made it to tribunal were extremely unlikely to succeed; “roughly 2%” were successful.¹⁶⁷

- 82.** John Kirkpatrick, then Deputy Chief Executive, now Chief Executive at the EHRC told the previous Committee that it was “certainly our experience” that the current law on age discrimination was not working effectively. The EHRC was aware of the concerns, which had been raised by “a variety of people”. He noted that the EHRC’s last national barometer of prejudice and discrimination in Britain, while now “a little out of date”, having been published in 2018, “reported more experience of prejudice based on age than on any other characteristic”. The barometer also identified “an attitude wherein age discrimination was seen as not being as serious as some other forms of discrimination.” He confirmed that despite the apparently high prevalence of ageist prejudice and discrimination relatively few age discrimination cases were brought; in 2022–23, there were half as many as those based on sex and race, and a third of the number of disability-related cases, for example. He told us that “age discrimination cases represent only about 2% to 4% of the serious issues that are brought to us.”¹⁶⁸
- 83.** Declan O’Dempsey, a leading discrimination barrister, broadly agreed with Dr Blackham’s view that the UK’s age discrimination law was currently too weak. He told us that, from a practitioner’s perspective, “the justification model on direct age discrimination that we have has a real chilling effect”; in his experience, “lots of cases start [...] but very few get through to the end, because it is an incredibly weak model of discrimination.” He believed that there was only one potential benefit of the model, that it may be considered genuinely “useful” in some circumstances for employers to directly discriminate based on age, but he argued that this was “outweighed” by the chilling effect on the enforceability of older people’s rights and the broader cultural impact.¹⁶⁹
- 84.** Alysia Blackham agreed. She told us the fundamental question should be:

[...] do we still see age as so exceptional that it should have lesser protection when people experience discrimination on the grounds of age? In my opinion, age should not be seen as exceptional. [...] Age discrimination is just as harmful as any other form of discrimination. We hear this in stories from people who experience it in the workplace, in services and in education. As we face demographic aging, which

167 Oral evidence taken on 7 February 2024, [Q76](#)

168 Oral evidence taken on 7 February 2024, [Q71](#)

169 Oral evidence taken on 7 February 2024, [Q70](#)

is a success story but also something that opens up new challenges and opportunities for us as societies, at this point removing the ability to objectively justify direct age discrimination is a fair response to the way society has shifted over the last nearly 20 years. We should no longer see age as exceptional, and we should no longer give it exceptional treatment in the law.¹⁷⁰

Intersectionality

85. Dr Blackham noted that “discrimination on the grounds of age is regularly linked to other types of discrimination”, for example sex, race, or disability. Age discrimination therefore “cannot be seen or interpreted in a vacuum: disadvantage is complex, overlapping and intertwined across multiple grounds, including age”. For women in particular, she argued that age and gender intersect to such a degree that “neither [...] can be removed from the analysis without losing an essential aspect of the discriminatory practice.” She cited research evidence of a qualitative difference in the way women experience ageism, with women “encountering issues of ‘lookism’ which do not affect male jobseekers”.¹⁷¹
86. Her view was that addressing intersectional discrimination “requires a fundamental re-think” of the law, noting that intersectionality was not yet explicitly recognised, as section 14 of the Equality Act 2010, which would provide for combined discrimination on the basis of two protected characteristics, had not been commenced.¹⁷² She concluded that section 14 should now be commenced, or, and preferably, UK law should adopt a broader provision along the lines of that adopted in the Canadian Human Rights Act, which states: “For greater certainty, a discriminatory practice includes a practice based on one or more prohibited grounds of discrimination or on the effect of a combination of prohibited grounds.”¹⁷³
87. The Women and Equalities Committee has previously recommended commencement of section 14, including in July 2022 in relation to menopause-related discrimination, which is inherently intersectional, relating to both age and sex, and potentially disability.¹⁷⁴ The then Government rejected this course of action, arguing that it would create

170 Oral evidence taken on 7 February 2024, [Q81](#)

171 Dr Alysia Blackham ([ROP0017](#))

172 Dr Alysia Blackham ([ROP0017](#))

173 Dr Alysia Blackham ([ROP0017](#))

174 Women and Equalities Committee, First Report of Session 2022–23, [Menopause and the workplace](#), HC 91, paras 88–91; para 97

unnecessary complexity and disproportionate additional burdens on employers and service providers.¹⁷⁵ The new Government has said it will bring section 14 into force but has not yet given a timetable for doing so.¹⁷⁶

88. Declan O’Dempsey reported that, “When this question comes up, you tend to see a division between the people who are studying this in academia and those who are dealing with it in practice.” He emphasised that commencement of section 14 would “simply move the problem on to two characteristics: What do you do about it if there are more than two characteristics?”. He also believed commencing section 14 could “complicate the process for litigants” and have a chilling effect on claims. In his view, reform in this area therefore required “a great deal of thought”.¹⁷⁷

English Public Sector Equality Duty

89. The Public Sector Equality Duty (PSED) is a legal requirement set out in the Equality Act 2010 for public authorities and organisations carrying out public functions. It includes a general duty, which requires authorities and organisations to have “due regard” to the need to: put an end to unlawful behaviour that is banned by the Equality Act 2010, including discrimination, harassment, and victimisation; advance equal opportunities between people who have a protected characteristic and those who do not; and foster good relations between people who have a protected characteristic and those who do not. The general duty applies in the same way across England, Wales, and Scotland, though each nation has different specific duties.¹⁷⁸

175 Women and Equalities Committee, Fourth Special Report of Session 2022–23, [Menopause and the workplace: Government Response to the Committee’s First Report of Session 2022–2023](#), HC 1060, paras 97–90,

176 See, for example, [Hearing Impairment: Women](#), PQ 21507, 19 December 2024

177 Oral evidence taken on 7 February 2024, [Q88](#)

178 For example, In England, there are three specific duties, which require public authorities and organisations carrying out public functions to publish (at least annually) equality information about the protected characteristics of its employees; at least one specific and measurable equality objective aimed at making progress on the aims of the general duty; and gender pay gap information (annually, for employers of 250 or more employees). There are nine specific duties in Scotland, including additional requirements to “publish equality outcomes and report progress”; “assess and review the equality impact of policies and practices”; and “consider award criteria and conditions in relation to public procurement”. Wales has 10 specific duties, including an additional requirement to train staff in the area of equality, and “engagement provisions”, which require organisations to involve people representing protected groups who have an interest in how the organisation carries out its public functions. See Equality and Human Rights Commission, [‘The Public Sector Equality Duty \(PSED\)’](#), accessed 21 May 2024

90. Alysia Blackham emphasised that discrimination law is “reactive”, “focused on discrete instances of discrimination” and “largely dependent on individual enforcement”. She argued that it was therefore “ill-adapted for addressing escalating discrimination and inequality over the life course.” She believed that more proactive, positive equality duties, particularly in England, could more effectively address discrimination, including ageism. She noted an example in the Australian state of Victoria, where equality duties included not only procedural requirements, but also demonstration of real progress towards equality.¹⁷⁹ She also argued that:

[...] the “due regard” standard is quite a light standard. It requires public sector entities to consider equality, but not necessarily to make a difference or make progress. I think that is where some of these emerging duties in other jurisdictions are really interesting, in that they require the public sector to make progress—material progress—and to report on that progress [...]. I think that is a much more developed approach to seek effective change, which might be considered as we strengthen the public sector equality duty to really tackle deep-seated problems in society—deep-seated inequalities.¹⁸⁰

91. John Kirkpatrick noted that the difference in specific duties across Great Britain provided an opportunity:

We have a sort of natural experiment at the moment in that there are specific duties in Wales that go further than the ones in England. It could potentially be really helpful if we could understand better than we do so far what impact those have had. That would provide a really useful evidence base for thinking about what impact the more and more specific duties might have in England.¹⁸¹

92. Declan O’Dempsey agreed that the PSED could be strengthened by adopting more specific positive duties and requiring more than “due regard” to equality objectives.¹⁸² As an alternative in relation to employment discrimination, he suggested several of ways of amending the Equality Act to include a “reasonable steps” standard for employers in both the public and private sectors. He noted that a similar approach had been developed in relation to sexual harassment in the workplace via the Worker Protection (Amendment of Equality Act 2010) Act 2023.¹⁸³ He argued that:

179 Dr Alysia Blackham ([ROP0017](#)); oral evidence taken on 7 February 2024, [Q89](#)

180 Oral evidence taken on 7 February 2024, [Q89](#)

181 Oral evidence taken on 7 February 2024, [Q91](#)

182 Oral evidence taken on 7 February 2024, [Q90](#); Declan O’Dempsey ([ROP0062](#))

183 Declan O’Dempsey ([ROP0062](#)); see [Worker Protection \(Amendment of Equality Act 2010\) Act 2023](#), which requires employers to take reasonable steps to prevent sexual harassment of their employees in the course of their employment.

Whilst there is a very persuasive argument that there ought to be a reasonable steps duty for all protected characteristics, the Committee would be justified in recommending introduction of a duty of this nature in respect of age, at this point in time, due to the pervasive, and untackled, nature of the discrimination.¹⁸⁴

The case for review and legal reform

93. Asked what the EHRC’s view was on the need for a review of the law on age discrimination, John Kirkpatrick told our predecessors:

It is not something we have been jumping up and down and calling for, but should you put that forward as a Committee, we would be very comfortable with that; we would support and of course cooperate with it.¹⁸⁵

Mr Kirkpatrick believed that elements of age discrimination law, including objective justification and enforceability, as well as other issues such as time limits for bringing tribunal claims, transparency and accountability “would all be useful areas for further review”.¹⁸⁶ While such a review had “not found its way as high up our priority list as some would like it to” he “certainly did not rule out it doing so”.¹⁸⁷

94. **CONCLUSION**

There is a wealth of evidence that age discrimination is highly prevalent in the UK and widely perceived as less serious and harmful than other forms of discrimination. Age discrimination law, in particular the allowance of objective justification of direct age discrimination, contributes to this perception. The law as it stands deters discrimination claims on the ground of age and severely limits claimants’ chances of success in the relatively few cases that make it to tribunal. The law does not yet appropriately recognise the inherently intersectional nature of age discrimination, which also contributes to a lack of enforceability. The Public Sector Equality Duty has the potential to address ageism but its specific duties, particularly in England, are far too weak to ensure transparency, accountability, and genuine progress. We believe a wholesale review of age discrimination law is a necessary step in tackling the UK’s pervasively ageist culture and internalised age discrimination.

184 Declan O’Dempsey ([ROP0062](#))

185 Oral evidence taken on 7 February 2024, [Q94](#)

186 Oral evidence taken on 7 February 2024, [Q94](#)

187 Oral evidence taken on 7 February 2024, [Q96](#)

95.

RECOMMENDATION

We recommend the Government commission and fund the Equality and Human Rights Commission to review the effectiveness of protections against age discrimination provided by the Equality Act and Public Sector Equality Duty in England, including but not limited to consideration of:

- the implications for older people’s rights, and the enforceability of those rights, of allowing objective justification of direct discrimination based on age, and the likely impacts of replacing objective justification with specific exceptions, if required;
- the extent to which the Public Sector Equality Duty in England effectively promotes progress on older people rights in areas including access to healthcare, housing, transport, and digital inclusion, and the case for more specific positive duties to drive progress;
- the case for amending the Equality Act in relation to employment discrimination based on age, to bring in a stronger “reasonable steps” duty on employers; and
- options to amend the Equality Act to reflect the intersectional nature of age discrimination more effectively, including but not limited to commencement of section 14 on dual characteristics.

5 Government focus and wider governance framework

96. A wide range of witnesses believed that the previous Government had insufficient focus on ageing as an issue and on protecting and championing older people's rights. Witnesses noted the lack of a robust governance framework via which to achieve this.¹⁸⁸ There is no UK government minister with cross-departmental responsibility for older people or a statutory Commissioner for older people in England, and no cross-government strategy on demographic change and ageing. Caroline Abrahams of Age UK told our predecessors:

I do not see how we have got to 2024 and have not had a White Paper on readiness for an ageing society. We are in the middle of a huge demographic shift which is changing loads of elements in our lives, our society, and our economy, and we have not really taken a step back in Government to look at what we need to do to make the most of it and to manage the risks. It is a really pressing cause for action.¹⁸⁹

Ministerial responsibilities

97. The Government has ministers responsible for key policy issues affecting older people. Notably, the DWP has a minister for pensions and the DHSC a minister for care.¹⁹⁰ The DWP submitted written evidence to the inquiry on behalf of the last Government, but it was focused only on labour market and social security issues for which it had sole responsibility or in which it was directly involved.¹⁹¹ Our predecessors did not invite the Government to give oral evidence because there was no minister with cross-cutting responsibility for the range of issues being examined.

188 See, for example, Members of the European Network on Gerontological Social Work ([ROP0032](#)); Age UK ([ROP0054](#))

189 Oral evidence taken on 10 January 2024, [Q64](#) [Caroline Abrahams]

190 GOV.UK, '[Ministerial role: Parliamentary Under Secretary of State \(Minister for Pensions\)](#)', accessed 17 January 2025; GOV.UK, '[Ministerial role: Minister of State for Care](#)', accessed 17 January 2025

191 Department for Work and Pensions ([ROP0048](#))

98. There was some support among witnesses for the establishment of a cross-cutting minister.¹⁹² For example, the Housing and Ageing Alliance called for a “Cabinet-level minister responsible for co-ordinating departments around older people’s housing and care, health and wellbeing.”¹⁹³ John Kirkpatrick of the EHRC said a cross-departmental minister was “an interesting proposal” and believed it “would provide a focal point both for government action in this area and for us to engage with.”¹⁹⁴ In January 2024, Age UK emphasised that:

[...] for the last decade, there has been no structured engagement with older people by the UK Government. There was a bit before, but for the last 10 years there has been no official body, and no regular meeting between a representative group of older people and a Minister or Ministers. There has been nothing at all.¹⁹⁵

The Equality Hub and new Office for Equality and Opportunity

99. The Office for Equality and Opportunity (previously known as the Equality Hub) includes the Women and Equalities Unit (the new name for the Government Equalities Office (GEO)), which has responsibility for equalities legislation and leads on policy relating to women, sexual orientation and transgender equality, the Disability Unit, Race Equality Unit, and the Social Mobility Commission.¹⁹⁶ In evidence to our predecessors’ inquiry into the role of the GEO in 2021, the Centre for Ageing Better expressed concern that the Government’s work on equalities had been “disappointing silent” on age-related discrimination. It argued that:

[...] this lacuna in the Office’s work means that vital progress on tackling age discrimination is not being made and important intersections between age and other protected characteristics are not getting the necessary attention.¹⁹⁷

In follow up oral evidence before us in December 2024, witnesses reported that this situation had not yet changed under the new Government.¹⁹⁸

192 See, for example, Housing and Ageing Alliance ([ROPO022](#)); Older People’s Commissioner for Wales ([ROP0026](#))

193 Housing and Ageing Alliance ([ROPO022](#))

194 Oral evidence taken on 7 February 2024, [Q92](#)

195 Oral evidence taken on 10 January 2024, [Q58](#)

196 GOV.UK, ‘[Equality Hub](#)’, accessed 21 May 2024

197 Centre for Ageing Better ([GEO0018](#))

198 Qq 237–8

A Commissioner for Older People’s Rights in England

- 100.** There was widespread support among witnesses to our inquiry for the establishment of a new Commissioner for Older People role in England, along the lines of those already established in Wales and Northern Ireland.¹⁹⁹ Independent Age and others pointed to some significant successes of the Welsh and Northern Irish postholders, for example increasing take up of Pension Credit in Wales and benefits take up more broadly in Northern Ireland.²⁰⁰ Dr Alysia Blackham reported that, “We are really seeing the impact of having a dedicated Commissioner in the other nations, and I think it could really help to effect significant change [...]”.²⁰¹
- 101.** As well as having a well-established national Older People’s Commissioner role, every local authority in Wales has an elected councillor acting as an Older People’s Champion to help deliver the Welsh Government’s strategy for an ageing society, Age Friendly Wales. The Welsh strategy has four broad objectives to enhance older people’s health and wellbeing; improve local services, including housing, buildings and open spaces, and transport; build and maintain older people’s capabilities, including access to community activities and lifelong learning; and tackling age-related poverty.²⁰² Joanna Elson of Independent Age described the framework for supporting older people’s rights in Wales as “fantastic” and emphasised that “there is also more happening in Scotland than there is in England”, noting that the Scottish Minister for Equalities has older people explicitly included in her responsibilities, whereas none of the UK Government’s equalities ministers has older people or ageing in their portfolios, which range across issues for women, LGBT people, minority ethnic groups, and disabled people.²⁰³
- 102.** In December 2024, Rhian Bowen-Davies agreed that there was much the UK Government could learn from the approach being taken in Wales.²⁰⁴ While many local authorities in England have elected councillors acting as Older People’s Champions, there is no accompanying national strategy. Older

199 See, for example, Independent Age ([ROP0063](#)); oral evidence taken on 10 January 2024, [Q15](#) [Caroline Abrahams]; oral evidence taken on 7 February 2024, [Q85](#) [Declan O’Dempsey]; [Q95](#) [Dr Alysia Blackham]

200 Independent Age ([ROP0063](#)); see also, for example, oral evidence taken on 10 January 2024, [Q15](#) [Caroline Abrahams]; oral evidence taken on 7 February 2024, [Q95](#) [Dr Alysia Blackham]

201 Oral evidence taken on 7 February 2024, [Q95](#)

202 See, “[Older People’s Champions helping to create an Age Friendly Wales](#)”, Welsh Government press release, 20 May 2023; Welsh Government, [Age Friendly Wales: Our Strategy for an Ageing Society](#), October 2021

203 Q241; see also, Scottish Government, ‘[Minister for Equalities](#)’, accessed 17 January 2024

204 Q239

People’s Champions in England were a Department of Health initiative, part of a health and social care standards framework for older people launched in 2001. They are not linked to any wider cross-departmental framework.²⁰⁵ While we heard good examples of local cross-organisational working in England on issues affecting older people, for example “very positive” work on the intersection of health and housing involving NHS Integrated Care Boards and local authorities, Age UK described these types of initiatives as “hugely patchy”.²⁰⁶

- 103.** Independent Age argued strongly that a Commissioner role in England would be the most effective mechanism through which to ensure older people’s rights were better protected and championed. In evidence to our predecessors, it argued that it would offer a longer-term strategic solution than the appointment of a minister, because a Commissioner could “provide continuity across different administrations” and would be protected against ministerial reshuffles.²⁰⁷ Dr Carole Easton of the Centre for Ageing Better told our predecessor Committee that the ideal outcome would be the establishment of both a cross-cutting minister and a Commissioner but, if she had to choose, she “would go for the Commissioner, because the Commissioner [...] might be longer in post than a Minister.”²⁰⁸
- 104.** Discrimination barrister Declan O’Dempsey was strongly in favour of a Commissioner role in England. He believed it would be:
- [...] a really interesting and effective way of moving things along, because it would concentrate one’s forces in an individual who can champion these rights, put pressure on the Government and the Equality and Human Rights Commission, and make sure that an area that has not received the profile that it should be receiving, in terms of culture change, receives it.²⁰⁹
- 105.** John Kirkpatrick was a little more circumspect. He said the EHRC had “no particularly strong view one way or another” and cautioned that “it would be important to be really clear on what the role was”, including the interrelationship between a new Commissioner’s duties and powers and those of the Equality and Human Rights Commission.²¹⁰

205 See Department of Health, *National Service Framework for Older People*, March 2001

206 Q246 [Dr Easton and Caroline Abrahams]; see Centre for Ageing Better, *Healthy homes: NHS initiatives to improve health by improving homes*, November 2024

207 Independent Age (ROPO063)

208 Oral evidence taken on 10 January 2024, [Q60](#)

209 Oral evidence taken on 7 February 2024, [Q85](#) [Declan O’Dempsey]

210 Oral evidence taken on 7 February 2024, [Q92](#)

106. CONCLUSION

Our growing ageing population presents a range of significant cross-departmental challenges and opportunities, and there is a huge breadth of issues facing an increasingly diverse older population. The lack of a strategy within Government on how to respond to these issues is concerning.

107. CONCLUSION

Evidence to us and our predecessor Committee emphasised the importance of joined-up and strategic work to tackle ageist attitudes and discrimination across society, including in access to healthcare, local services, banking and transport. While there is a very strong prima facie case for the appointment of a UK cross-government minister to take responsibility for developing and implementing policy and championing the rights of older people in these and wider areas, a more important first step is the development of a Government strategy for ageing and older people's rights. Such a strategy could establish the case for, and guide, any new minister.

108. RECOMMENDATION

We recommend the establishment of a unit of data and policy analysts within the Cabinet Office's Office of Equality and Opportunity to build an evidence base on the key cross-departmental challenges, including intersectional issues, facing older people now and in the coming decades. This unit should be established with a view to informing the development of a UK government cross-departmental strategy on demographic change and ageing, which the Government should consult on and publish during this Parliament.

109. CONCLUSION

There was strong support among witnesses for a Commissioner in England along the lines of the Older People's Commissioners already established in Northern Ireland and Wales. Not only is there insufficient cross-departmental government focus on the issues facing older people in England, but older people also lack a powerful and independent voice to advocate for them in policy making and help protect and enforce their rights.

110.

RECOMMENDATION

We recommend the Government examine the experience in Wales, with a view to replicating a similar framework across England. It should conduct an evaluation of the effectiveness of the Commissioner for Older People role in Wales and its comprehensive network of Older People's Champions delivering a national strategy across local authorities. The evaluation should consider the duties, powers, and resources a Commissioner for Older People in England would need. It should consider whether a single Commissioner for England or a network of regional Commissioners would be more effective in a nation of England's size. Likewise, the tier of local government at which Older People's Champions are most likely to be effective should be considered in the context of the Government's plans for devolution and local authority reform in England. The Government should consider the role of the Equality and Human Rights Commission within a new framework for older people's rights, including the case for formal memoranda of understanding between the Commission and any new Commissioner/s to ensure the division of duties and responsibilities is clear. Careful consideration and consultation should take precedence over speed but we expect progress to be made on establishing a new and effective framework for promoting and protecting older people's rights by the end of the year.

Conclusions and recommendations

Ageist stereotypes in the media and advertising

1. There is clear evidence that ageist stereotyping, including portrayals of older people as frail, helpless or incompetent, or conversely as wealth-hoarding “boomers”, is highly prevalent across all media in the UK and that this is a significant contributory factor to the normalisation of ageist attitudes. Ageism causes harm both to older individuals, including when self-limiting stereotypes are internalised, and at societal level, pitting generations against each other and breeding unnecessary and unhelpful division. We believe there is a strong case for the advertising and broadcasting codes and guidance to be strengthened in relation to harm and offence arising from ageist stereotyping of all types. We welcome the Advertising Standards Authority’s (ASA) decision to launch a research project to consider the nature and extent of harm and offence caused by ageist depictions of older people in advertising with a view to strengthening its regulatory approach. The ASA should update us on progress, including a clear timeline for change, in response to this Report. We recommend Ofcom launch a similar review, and that both the ASA and Ofcom commit to introducing specific new rules and guidance to advertisers and broadcasters on avoiding harm and offence arising from ageist language and imagery. (Recommendation, Paragraph 36)
2. We welcome Ofcom’s prioritisation of equity, diversity, and inclusion (EDI) and its annual report on EDI in the broadcasting workforce. We note, however, that, despite glaring underrepresentation of older people in radio and television, this is not currently a priority area for Ofcom or the sector. We believe increased age diversity in the workforce has the potential to significantly reduce ageist attitudes in the media. We therefore recommend Ofcom ensure an increased focus on analysis of age diversity in its future reports on EDI in broadcasting, and promote equal prioritisation of age diversity alongside gender, racial and ethnic, LGBT+ and disability diversity across all age groups in the EDI strategies of broadcasters. (Recommendation, Paragraph 40)

3. The Editor’s Code of Practice must balance the rights of individuals to protection from discrimination with freedom of expression in the press. The complete omission of age from clause 12 on discrimination gets this balance wrong, leaving older people unprotected and contributing to a widely held perception that ageism is taken less seriously than other forms of discrimination. There is no reason why age should not be included in the Editor’s Code of Practice with the same caveat on genuine relevance to the story as other categories currently covered by clause 12. The justification of the omission of age from clause 12, set out in the Editors’ Codebook, that journalists must be free to comment on public figures who are “past their prime” is itself overtly ageist. We recommend the Editors’ Code of Practice Committee include age in clause 12 of the Editors’ Code of Practice and update the Editors’ Codebook accordingly. (Recommendation, Paragraph 49)

Digital exclusion

4. Social broadband and mobile phone tariffs can allow eligible low-income households to make significant savings on their bills, yet few eligible older people are aware of them. The Government should work with groups representing older people and broadband and mobile phone network providers to ensure the provision and promotion of social broadband and mobile phone network tariffs for older people on lower incomes. We further recommend the Government consider strengthening the relevant regulatory regimes to ensure that adequate social tariff options are available and promoted, enforced via financial penalties for providers’ non-compliance if necessary. (Recommendation, Paragraph 63)
5. Older age is not in itself a cause of digital exclusion but strongly correlates with some of the key measures, including lack of broadband at home and non-ownership of a smartphone. There is also a large number of “hidden” digitally excluded older people: those who appear to be online, having broadband at home and owning a smartphone, but who lack the requisite confidence and skills to complete digital tasks without support. There has been a huge proliferation of digital technology and adoption of digital by default services across society, including in local authority services, banking, and healthcare, driven in part by cost savings and budgets cuts and exacerbated by the response to the Covid-19 pandemic. In this context, it is a considerable failure of government that the Digital Inclusion Strategy has not been updated, nor progress tracked, for a decade. We welcome the Government’s intention to remedy this as a priority. (Conclusion, Paragraph 75)

6. The Government must bring forward a refreshed Digital Inclusion Strategy. The Strategy should have a detailed focus on the needs of digitally excluded older people, including a plan for funding locally delivered digital skills provision and promoting best practice in the public and private sectors in maintaining offline alternatives to digital for as long as needs remain, and a focus on broadband connectivity in rural and coastal areas. (Recommendation, Paragraph 76)

Equality law and enforceability of older people's rights

7. There is a wealth of evidence that age discrimination is highly prevalent in the UK and widely perceived as less serious and harmful than other forms of discrimination. Age discrimination law, in particular the allowance of objective justification of direct age discrimination, contributes to this perception. The law as it stands deters discrimination claims on the ground of age and severely limits claimants' chances of success in the relatively few cases that make it to tribunal. The law does not yet appropriately recognise the inherently intersectional nature of age discrimination, which also contributes to a lack of enforceability. The Public Sector Equality Duty has the potential to address ageism but its specific duties, particularly in England, are far too weak to ensure transparency, accountability, and genuine progress. We believe a wholesale review of age discrimination law is a necessary step in tackling the UK's pervasively ageist culture and internalised age discrimination. (Conclusion, Paragraph 94)
8. We recommend the Government commission and fund the Equality and Human Rights Commission to review the effectiveness of protections against age discrimination provided by the Equality Act and Public Sector Equality Duty in England, including but not limited to consideration of:
 - the implications for older people's rights, and the enforceability of those rights, of allowing objective justification of direct discrimination based on age, and the likely impacts of replacing objective justification with specific exceptions, if required;
 - the extent to which the Public Sector Equality Duty in England effectively promotes progress on older people rights in areas including access to healthcare, housing, transport, and digital inclusion, and the case for more specific positive duties to drive progress;
 - the case for amending the Equality Act in relation to employment discrimination based on age, to bring in a stronger "reasonable steps" duty on employers; and

- options to amend the Equality Act to reflect the intersectional nature of age discrimination more effectively, including but not limited to commencement of section 14 on dual characteristics. (Recommendation, Paragraph 95)

Government focus and wider governance framework

9. Our growing ageing population presents a range of significant cross-departmental challenges and opportunities, and there is a huge breadth of issues facing an increasingly diverse older population. The lack of a strategy within Government on how to respond to these issues is concerning. (Conclusion, Paragraph 106)
10. Evidence to us and our predecessor Committee emphasised the importance of joined-up and strategic work to tackle ageist attitudes and discrimination across society, including in access to healthcare, local services, banking and transport. While there is a very strong prima facie case for the appointment of a UK cross-government minister to take responsibility for developing and implementing policy and championing the rights of older people in these and wider areas, a more important first step is the development of a Government strategy for ageing and older people's rights. Such a strategy could establish the case for, and guide, any new minister. (Conclusion, Paragraph 107)
11. We recommend the establishment of a unit of data and policy analysts within the Cabinet Office's Office of Equality and Opportunity to build an evidence base on the key cross-departmental challenges, including intersectional issues, facing older people now and in the coming decades. This unit should be established with a view to informing the development of a UK government cross-departmental strategy on demographic change and ageing, which the Government should consult on and publish during this Parliament. (Recommendation, Paragraph 108)
12. There was strong support among witnesses for a Commissioner in England along the lines of the Older People's Commissioners already established in Northern Ireland and Wales. Not only is there insufficient cross-departmental government focus on the issues facing older people in England, but older people also lack a powerful and independent voice to advocate for them in policy making and help protect and enforce their rights. (Conclusion, Paragraph 109)
13. We recommend the Government examine the experience in Wales, with a view to replicating a similar framework across England. It should conduct an evaluation of the effectiveness of the Commissioner for Older People

role in Wales and its comprehensive network of Older People's Champions delivering a national strategy across local authorities. The evaluation should consider the duties, powers, and resources a Commissioner for Older People in England would need. It should consider whether a single Commissioner for England or a network of regional Commissioners would be more effective in a nation of England's size. Likewise, the tier of local government at which Older People's Champions are most likely to be effective should be considered in the context of the Government's plans for devolution and local authority reform in England. The Government should consider the role of the Equality and Human Rights Commission within a new framework for older people's rights, including the case for formal memoranda of understanding between the Commission and any new Commissioner/s to ensure the division of duties and responsibilities is clear. Careful consideration and consultation should take precedence over speed but we expect progress to be made on establishing a new and effective framework for promoting and protecting older people's rights by the end of the year. (Recommendation, Paragraph 110)

Annex: summary note of public engagement event in Andover, Monday 18 March 2024

Members attending: Rt Hon Caroline Nokes MP (Chair) and Carolyn Harris MP.

Members met a group of 10 older people representing forums and other local older people's groups from Andover and Gosport in Hampshire, London, Leeds, Manchester, Newcastle upon Tyne and wider northeast England. The participants were convened by the charity Independent Age and the meeting was facilitated by its Chief Executive, Joanna Elson.

Transport

The group discussed purchasing train tickets, use of ticket machines and the importance to some older people of ticket offices at train stations due to the complexity of the machines and ticket options available. It was noted that ticket machines were rarely fully accessible for older people with disabilities. Participants described having to ask for help to use the machines as "humiliating".

It was noted that train tickets bought online were often much cheaper, and therefore older people without the internet, and without friends or family to help them, were often paying more than they needed to for tickets.

Participants noted that, while they might ask friends or family for help, what they wanted was to be shown how to do things rather than have other people do them on their behalf.

Analogue landline telephone switch off

Serious concerns were expressed about the proposed switch off of analogue telephone landlines and migration to broadband supported telecoms by the end of 2025. Several participants drew attention to potential problems in rural areas, where broadband connectivity was often very poor.

Concerns were raised about the risk of phonenumber-connected personal alarms not working in the event of loss of internet connectivity. Several participants were concerned that older people may be left without access to telecoms during periods of internet failure or a power cut. One participant noted that her internet phonenumber used old copper wires, with intermittent service affected by poor weather. The issue had been reported to her provider but remained unresolved.

It was suggested that, when moving customers to broadband phone lines, providers should issue a basic mobile phone with big buttons to vulnerable older people without alternative means of telecoms, to use in an emergency.

Banking

Access to banking was a key concern. Some participants reported that they and many other older people did not want to use online banking; they wanted human contact with staff in a bank branch. Bank branch closures were therefore a “big issue”, particularly in rural areas. One participant said that, while his experience of digital banking was “brilliant” and very convenient, he had sympathy for those older people who found it problematic. He noted that banks were proposing consolidated “banking hubs” in some areas and argued that the banks should be required to establish these before closing more branches.

More broadly, it was noted that banks were making huge profits and ought to be able to ensure equal access to banking for older people as part of a “social contract”. The group believed the Government should bring more pressure to bear on the banking sector and that it should be a key issue for a new Older People’s Commissioner for England to pursue (see framework for protecting and promoting older people’s rights, below).

Healthcare and dentistry

Difficulty getting GP appointments was a major concern. Participants emphasised the importance for many older people of continuity of care, and the preference of many for face-to-face consultations with their own GP, avoiding the need to “constantly re-tell” their medical story to different healthcare professionals. This was seen as important for both physical and mental wellbeing.

A participant raised an issue with GP appointment text reminders not specifying what the appointment was for as older people may have a number of health concerns. Another reported being forced to book appointments over the phone. She had tried to book an appointment face to face at the GP’s reception but was told to go home and do it from there.

Access to dentistry was also noted as very problematic. Teesside was described as a “dentistry desert”.

Central and local government services

One participant talked about recent difficulties in relation to the DVLA and age and/or health-related driving licence renewals. She reported that the DVLA phonenumber was routinely too busy to answer calls, and an automated message directed her to go online. She felt she had been left “in limbo”. Another participant reported that it had taken 20 months for the DVLA to resolve a similar issue. She believed that the DVLA needed to “get its act together”.

More broadly, participants argued that government services ought to be “leading the way” in digital inclusion and the provision of adequate offline alternatives where they were needed. Ultimately the group believed all types of services should maintain offline access for as long as it is needed.

Participants noted that the move to digital services and a “cashless society” was predominantly cost-driven. The example of car parking apps to replace cash payment was given. A participant emphasised that not all older people were “digitally useless” but more careful consideration needed to be given to maintaining offline options for those who could not get online. While there were a range of digital inclusion measures, including local authority information, IT access at libraries, and adult education courses, all were under pressure as a result of reductions in council budgets.

Financial hardship, inequality, and affordability

The group discussed cheaper social tariffs for broadband and mobile internet contracts. It was reported that there was very little information from providers about social tariffs. Where information existed, it was typically online and hard for some older people to find. Finding information offline was very difficult. One participant said that her emails to providers about the availability of social tariffs had been ignored. Others noted that social tariffs did not always provide the best deal. Others noted that ISPs made little effort to ensure older people always had access to the cheapest rates.

Participants described how digital exclusion disproportionately affected older people on low incomes and older workers on out of work benefits. One described a digitally excluded 64-year-old man her organisation worked with who was unable to find work and had been told to take a photo of a job application to prove he was looking for work and eligible for Universal Credit. He could not do so because he did not have a smart phone.

Two participants described huge inequalities in their areas between very wealthy and very poor households. It was noted that in the most deprived wards of Newcastle, 40% of households did not have broadband at home. Many people living in those wards had “extraordinarily complex” social

problems. In Kensington, London, the very wealthy lived beside very poor communities, including minority ethnic groups and lots of older people on low incomes. Despite high numbers of older people on low incomes, take up of Pension Credit was low, and many were “too proud” to use food banks.

One participant believed that the Pension Credit threshold for single pensioners was unfair and should be lower than that for married pensioners.

Digital inclusion strategy

It was noted that the Government’s digital inclusion strategy was now a decade old. An updated strategy was considered “crucial” for inclusion of older people. The group reported that there was a wealth of research to inform an updated strategy, which should include greater resources for local groups and initiatives and consideration of the implications of budget cuts on library-based and other local authority resources. Digital inclusion support for those who did not have English as a first language should also be considered.

Framework for protecting and promoting older people’s rights

The group considered whether the establishment of an Older People’s Commissioner for England and/or a cross-departmental government minister for older people could better promote and protect older people’s rights. It was noted that the charitable sector was united in its call for a Commissioner role, and there was broad support for this across the group. Participants argued that a Commissioner could be an “independent voice” and “100% focused” on the range of issues facing older people. A Commissioner could commission research, build up a body of knowledge, act as a central point of contact for information, raise the profile of older people’s issues and influence policy. Some participants believed this approach was likely to be more effective than a cross-departmental minister, who it was believed would be “too busy” to focus sufficiently on the issues that mattered to older people. They believed a Commissioner could “pull together” the research and campaigns of a range of older people’s charities and other organisations. The new role could include “promulgating messages” around the legal responsibilities of service providers and promoting older people’s understanding of their rights.

Joanna Elson of Independent Age believed a Commissioner for England would be an effective way of “convening power”. She argued that the current Older People’s Commissioner for Wales, Heléna Herklots, was “doing a good job”. For example, she reported that the Commissioner’s campaign on Pension Credit had helped raise take up by 25% in Wales. She said Independent Age would welcome both an Older People’s Commissioner for England and a dedicated cross-departmental minister. There was broad agreement with this across the group.

Formal minutes

Wednesday 12 February 2025

Members present

Sarah Owen, in the Chair

David Burton-Sampson

Rosie Duffield

Kirith Entwistle

Natalie Fleet

Catherine Fookes

Christine Jardine

Samantha Niblett

Rachel Taylor

The rights of older people

Draft Report (*The rights of older people*), proposed by the Chair, brought up and read.

Ordered, That the Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 110 read and agreed to.

Annex agreed to.

Resolved, That the Report be the Third Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Adjournment

Adjourned till Wednesday 26 February at 2.00pm.

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee’s website.

Wednesday 10 January 2024

Caroline Abrahams CBE, Charity Director, Age UK; **Carole Easton OBE**, Chief Executive, Centre for Ageing Better; **Heléna Herklots CBE**, Older People’s Commissioner for Wales; **Joanna Elson CBE**, Chief Executive, Independent Age

[Q1–67](#)

Wednesday 7 February 2024

Dr Alysia Blackham, Associate Professor, Melbourne Law School, University of Melbourne; **John Kirkpatrick**, Deputy Chief Executive Officer, Equality and Human Rights Commission; **Declan O’Dempsey**, Barrister, Cloisters Chambers

[Q68–96](#)

Helen Dobson, Managing Director, Citizens Online; **Dr Emilene Zitkus**, Senior Lecturer, Loughborough University; **Councillor Gillian Ford**, Deputy Chair, Community and Wellbeing Board, Local Government Association

[Q97–129](#)

Wednesday 28 February 2024

Natalie Hall, Chief Strategy Officer, 55/Redefined; **Jonathan Boys**, Senior Labour Market Economist, Chartered Institute of Personnel and Development (CIPD); **Nicola Smith**, Head of Rights, Social and Economics, Trades Union Congress (TUC); **Professor Wendy Loretto**, Dean and Professor of Organisational Behaviour, University of Edinburgh Business School

[Q130–164](#)

Wednesday 17 April 2024

Alice Gould, Head of Complaints, Independent Press Standards Organisation; **Kate Biggs**, Director of Public Policy, Ofcom; **Malcolm Phillips**, Regulatory Policy Manager, Committee of Advertising Practice

[Q165–237](#)

Wednesday 11 December 2024

Caroline Abrahams CBE, Charity Director, Age UK; **Joanna Elson CBE**, Chief Executive, Independent Age; **Dr Carole Easton OBE**, Chief Executive, Centre for Better Ageing; **Rhian Bowen-Davies**, Older People's Commissioner for Wales

[Q237-286](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

ROP numbers are generated by the evidence processing system and so may not be complete.

1	55/Redefined	ROP0012
2	Aberystwyth University; and Swansea University	ROP0029
3	Advertising Standards Authority	ROP0066
4	Age UK	ROP0059
5	Age UK	ROP0054
6	Alysia, Associate Professor (Associate Professor , Melbourne Law School, University of Melbourne)	ROP0017
7	Alysia, Associate Professor (Associate Professor, Melbourne Law School, University of Melbourne)	ROP0060
8	Alzheimer's Society	ROP0016
9	Anchor	ROP0045
10	Anonymised	ROP0044
11	Anonymised	ROP0040
12	Anonymised	ROP0009
13	Anonymised	ROP0006
14	Bendall, Dr. Charlotte (Associate Professor, Birmingham Law School, University of Birmingham); and Davey, Dr. Samantha (Lecturer in Law, University of Essex)	ROP0024
15	Biggs, Kate (Director of Public Policy, Ofcom)	ROP0067
16	CBE, Joanna Elson (Chief Executive Officer, Independent Age)	ROP0063
17	Centre for Ageing Better	ROP0046
18	Chartered Institute of Personnel and Development	ROP0055
19	Citizens Online	ROP0064
20	Citizens Online	ROP0031

21	Connolly, Dr Michael (Reader in Law, University of Portsmouth, School of Law)	ROP0002
22	Declan, (Barrister, Cloisters Chambers)	ROP0062
23	Department for Work and Pensions	ROP0048
24	Equality and Human Rights Commission	ROP0056
25	Faculty of Public Health	ROP0050
26	Flourishing Lives	ROP0027
27	Greater Manchester Ageing Hub	ROP0049
28	Hadley, Dr Robin A (Associate Lecturer , Manchester Metropolitan University)	ROP0015
29	Hourglass (Safer Ageing)	ROP0047
30	Housing and Ageing Alliance	ROP0022
31	Independent Age	ROP0042
32	Independent Press Standards Organisation (IPSO)	ROP0065
33	King, Professor Andrew (Co-Director, Centre for Research on Ageing and Generations, University of Surrey)	ROP0033
34	Leadership for Today (L4T) Ltd.	ROP0035
35	LGBT Foundation	ROP0018
36	Later Life Ambitions (LLA); Civil Service Pensioners' Alliance (CSPA); National Association of Retired Police Officers (NARPO); and National Federation of Occupational Pensioners (NFOP)	ROP0043
37	Leigher, Hilary	ROP0008
38	Local Government Association	ROP0034
39	Lonbay, Dr Sarah (Associate Professor of Social Sciences and Engagement, University of Sunderland); Atkinson, Dr Karen (Senior Lecturer in Social Work, University of Sunderland); Phillips, Carrie (Senior Lecturer in Social Work, University of Sunderland); Milne, Dr Alisoun (Emeritus Professor in Social Gerontology and Social Work, University of Kent); Southall, Dr Carole (Assistant Professor in Social Work, Northumbria University); Wolmesjö, Dr Maria (Associate Professor in Social Work, University of Borås, Sweden); and Penhale, Bridget (Emeritus Reader, University of East Anglia)	ROP0032
40	London Age Friendly Forum	ROP0058
41	Loretto, Professor Wendy	ROP0053

42	Marie Curie	ROP0041
43	Muslim Council of Britain	ROP0052
44	Muslim Women’s Network UK	ROP0037
45	National AIDS Trust	ROP0051
46	National Pensioners Convention	ROP0038
47	Nosowska, Ms Geraldine (Director, Effective Practice); Tanner, Dr Denise (Associate Professor , University of Birmingham); and Willis, Dr Paul (Associate Professor, University of Bristol)	ROP0028
48	Office for National Statistics	ROP0021
49	Older People’s Commissioner for Wales	ROP0026
50	Opening Doors	ROP0013
51	Pigott, Mrs Maggy	ROP0023
52	School of Allied Health Professional, Nursing and Midwifery, University of Sheffield	ROP0057
53	Silver Voices	ROP0003
54	Stevens, P.E.	ROP0005
55	The British Geriatrics Society	ROP0036
56	The Scottish Women’s Convention	ROP0010
57	Trades Union Congress (TUC)	ROP0061
58	Violence, Health, and Society (VISION) consortium; and Violence and Society Centre, City University of London	ROP0025
59	Wilson, Rosemary	ROP0004
60	Yellow Jigsaw CIC - Talking About My Generation	ROP0007
61	Zamani, Dr Efpraxia (Associate Professor of Information Systems, Durham University Business School)	ROP0020
62	Zitkus, Dr Emilene (Senior Lecturer in Inclusive Design, Loughborough University)	ROP0011
63	workingwise.co.uk	ROP0019

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2024–25

Number	Title	Reference
2nd	Equality at work: Miscarriage and bereavement leave	HC 335
1st	Women's reproductive health conditions	HC 337

