



The Commission's regulatory actions in response to Newmarch House outbreak

Statement from Ms Janet Anderson PSM, Aged Care Quality and Safety Commissioner

“As the national regulator of Commonwealth funded aged care services, the Commission's role is to protect and enhance the safety, health, well-being and quality of life of older Australians receiving aged care.

The Commission is acutely aware that aged care consumers are among those who are most vulnerable to the virus and the risks it presents to people's health and life. In the context of the *Australian Health Sector Emergency Response Plan for Novel Coronavirus (COVID-19)* (released on 18 February 2020), the Commission moved quickly to focus our regulatory approach to respond to the pandemic. We are using the full range of our regulatory powers to ensure that providers meet their obligations with respect to the Aged Care Quality Standards (Quality Standards), and to implement all necessary steps to mitigate the risks of transmission of the virus consistent with the advice of health authorities.

The COVID-19 outbreak at Newmarch House in Western Sydney during this pandemic has been one of the most devastating in Australia, with 16 residents having lost their lives to the virus. This is a tragic situation, and the anxiety and grief experienced by residents, their family members and staff has had an impact on all Australians.

Since the beginning of the outbreak at Newmarch House on 12 April 2020, the Commission has been actively engaged with Anglican Community Services (the approved provider) and Newmarch House management to monitor and support the provider to meet their obligations under Quality Standards, including implementing effective infection control practices at the service. Exercising our statutory function for complaints handling, we have also been responding to concerns raised by consumers and their families and helping to resolve the issues they have raised.

From 23 April 2020, we have taken a series of graduated regulatory actions to ensure compliance in response to escalating concerns and evidence that the provider was failing to meet Quality Standards. These regulatory actions comprise issuing an administrative direction, followed by a non-compliance notice, and most recently, a notice requiring agreement. The Commission has escalated our enforcement as a consequence of continued evidence of lack of effective infection control, and of immediate and severe risk to the safety, health and well-being of residents at Newmarch House. Detail of this [regulatory action can be found on our website](#).

The Commission is continuing to fully exercise its regulatory authority to mitigate risk to those in Newmarch House. This authority is supporting the important work of local health authorities and experts, including infectious disease specialists, Public Health Unit clinicians, and other representatives from NSW Health. We continue to work closely with the Commonwealth Department of Health to identify and address issues and ensure that every effort is made to protect each resident's safety and wellbeing.

If there are concerns about the care of residents or the actions of specific services in the context of the COVID-19 pandemic, complaints can be made via the Commission's website www.agedcarequality.gov.au or by calling **1800 951 822**.”