



Key changes for providers from 1 January 2020: Assessment Contacts

From 1 January 2020, the Aged Care Quality and Safety Commission Rules 2018 (Commission Rules) have changed.

The aged care regulatory functions of the Secretary of the Department of Health have been transferred to the Aged Care Quality and Safety Commissioner (the Commissioner), establishing a new regulatory framework for the Commission. This ensures that the Commissioner has the full suite of regulatory functions from entry, quality monitoring and compliance to exit (if required) for providers of aged care services.

Amendments to the Commission Rules have been implemented to support the transition of regulatory functions. A summary of all the amendments are details in the Fact sheet: [Key changes for providers from 1 January 2020](#).

This fact sheet provides further details on the amendments to the Commission Rules from 1 January 2020 in relation to assessment contacts.

The information in this fact sheet applies to:

- accredited residential services
- previously accredited residential services
- services delivering home care packages
- Commonwealth Home Support Programme services
- flexible care services providing short-term restorative care.

The information in this fact sheet does not apply to services delivering National Aboriginal and Torres Strait Islander Flexible Aged Care Program as assessment contacts with these services are conducted as per the Quality Review Guidelines published on the [Commission's website](#).

Assessment contact purpose

The purposes of an assessment contact have been streamlined to directly support the Commissioner's monitoring regulatory functions. Assessment contacts will be for one or both of the following purposes:

- assessing a provider's performance against the Quality Standards; these are referred to as **assessment contacts (performance assessment)**
- monitoring the quality of care and services; these are referred to as **assessment contacts (monitoring)**.



Assessment contacts with any provider

The Commission is now able to make assessment contacts with **any provider of any service, including a previously accredited service.**

This means that the Commission is able to monitor the quality of care and services where accreditation of a service has been revoked but a provider is still delivering care through the service.

An assessment contact may also be **conducted with a provider in relation to all their services.** This means that the Commission is now able to assess a provider's performance against the Quality Standards or monitor quality of care and services in relation to all their home services and residential services through a single assessment contact.

For example, we may conduct a single assessment contact (performance assessment) to assess a provider's performance in relation to Standard 8 Organisational governance for all their services.

Arrangements for assessment contacts

The Commissioner may give the provider of service written notice of the arrangements for assessment contacts with the provider; however, this notification will no longer be required under the Commission Rules.

When deciding the arrangements of an assessment contact, the Commissioner will determine the purpose(s) of the assessment contact, the type of contact such as site visit or phone call, the timeframe for completing the assessment contact and the scope of the assessment contact. Assessment contacts will continue to be both announced (prior notice given to the approved provider of a service) or unannounced (made without notice).

Where there is non-compliance with the Quality Standards a risk-based monitoring plan will be developed by the Commission. Refer to [Regulatory Bulletin 2019-4.1 Responding to non-compliance with the Aged Care Quality Standards](#) for further information.

There will also be flexibility regarding consumer notifications of the assessment contact. The Commission will consider whether a provider should notify consumers regarding an assessment contact through a form or words or poster.

Assessment contact report

The Commission Rules outline consistent arrangements for reporting about performance assessments. For every assessment contact (performance assessment) the Assessment Team will **prepare an assessment contact report about the service**. This is given to the Commission within seven days after the assessment contact is completed.

The assessment contact report will outline the team's assessment of performance against the Quality Standards (assessed as Not Met/Met at the Standard and requirement level where applicable).

The Commission will give the assessment contact report to the provider of the service so that they have the opportunity to:

- (a) understand the reasons, evidence and facts that the delegate is to rely on in identifying areas for improvement and in making a compliance decision
- (b) provide a response to matters identified in the assessment report that may be relied on by the delegate.

The provider has 14 days to provide a written response to the assessment contact report.

An assessment contact report will not be developed by the Commission following an assessment contact (monitoring).

Performance report


Within 28 days after the Commission is given a copy of the assessment contact report, a **delegate of the Commissioner prepares a performance report**. In developing the performance report, the delegate takes into account the assessment contact report, any response from the provider and other relevant information or matters.

The performance report:

- includes an assessment of the provider's performance, in relation to the service, against the Quality Standards (compliant/non-compliant decision for each assessed Standard and requirement level where applicable)
- may specify any areas in which improvements must be made to ensure the Quality Standards are complied with
- may include any other relevant matters.

The performance report allows for clear delineation between the report developed by the Assessment Team and the final performance report developed by the Commissioner.

The provider will be given a copy of the performance report.



At this point the delegate will be able to take a risk-based and proportionate approach to determining the regulatory response to any non-compliance. Refer to [Regulatory Bulletin 2019-4.1 Responding to non-compliance with the Aged Care Quality Standards](#) for further information.

Publication of performance report

The Commission is committed to making more information available regarding our regulatory activities and actions.

From 1 July 2020, all performance reports developed by delegates of the Commissioner following an assessment contact (performance assessment) will be published on the Commission website. This includes performance reports developed following an assessment contact (performance assessment) with a home service.

Assessment contact (monitoring)

The Commission may conduct an assessment contact to monitor the quality of care and services provided by the provider through a service (monitoring). An assessment contact (monitoring) may be by a quality assessor or a delegate of the Commissioner, such as a Regional Director or Assistant Director.

The assessment contact (monitoring) may be conducted in a variety of forms for various reasons, for example:

- attendance at a management meeting or board meeting to discuss key issues identified during a previous performance assessment
- visit to a service to review and obtain an update on progress with a revised plan for continuous improvement
- a phone call to the provider to discuss a change in regulatory compliance expectations.
- [Consumer experience interviews](#)

There are no reporting requirements following an assessment contact (monitoring).

Where can I find out more?

You can read the Commission Rules **here**.

For support in understanding the Commission Rules and their operational implications, please speak with your local Regional office or refer to the **Commission's website** for updates and additional fact sheets on the key changes to the Commission Rules.



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