Key changes for providers from 1 January 2020: Timetable for improvement

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 timetables for improvement.

The information in this fact sheet applies to:
- accredited services
- services delivering home care packages
- Commonwealth Home Support Programme services
- flexible care services providing short-term restorative care (STRC services).

Timetables for improvement previously set by the Commission

Prior to 1 January 2020, where there was failure by a provider of a service to comply with the Aged Care Quality Standards (Quality Standards), the Commission was required to notify the provider of any areas for improvements that must be made to ensure compliance with the Quality Standards, and the timetable for making the improvements.

From 1 January 2020 the Commission Rules no longer require that providers are notified of a timetable for improvement (TFI) when areas for improvement are identified in order for the Quality Standards to be met. This provision has been removed from the Rules as the Commission has new powers for monitoring and enforcing compliance under the *Aged Care Quality and Safety Commission Act 2018* (as amended).

Following a performance assessment, the Commission may identify areas of improvement that a provider must make to ensure the Quality Standards are complied with. The Commission will take a risk-based and proportionate approach to determining the regulatory response to any non-compliance. This may include issuing a provider with a Direction to revise the plan for continuous improvement. Refer to [Regulatory Bulletin 2019-4.1 Responding to non-compliance with the Aged Care Quality Standards](#) for further information.

What happens to existing TFIs?

As a transition arrangement, any TFI set under the previous Commission Rules that are due to expire after 31 December 2019 will continue to be managed administratively. Services can expect a performance assessment after the previously advised TFI expiry date to determine compliance with the Quality Standards.

The outcome of the end of TFI performance assessment will determine further monitoring or regulatory enforcement actions. Refer to the Regulatory Strategy and Regulatory Bulletin: responding to non-compliance with the Aged Care Quality Standards for additional information.

Example:

A TFI was established on 21 November 2019 with an expiry date of 21 February 2020. The provider was notified in November 2019 that they can expect an end of TFI performance assessment in the week commencing 24 February 2020.

An assessment contact (performance assessment) is conducted on 27 February 2020 to assess quality of care and services against the Quality Standards. The outcome of this performance assessment is used to determine monitoring or regulatory enforcement actions.

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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