

# Newsletter - September 2019



## On this page:

- [Commissioner's message](#)
- [Getting to know the Standards – Standard 2, Ongoing assessment and planning with consumers](#)
- [Scenarios involving physical and/or chemical restraint](#)
- [MOU means better protection for older Australians receiving aged care](#)
- [Early findings against the Quality Standards](#)
- [Directions issued now on our website](#)

[Back to top](#)

- [Webinar on accountabilities of governing bodies in aged care](#)
- [Website updates](#)
- [Sector news](#)

## Commissioner's message

As the regulator of Commonwealth-subsidised aged care services, we expect providers to demonstrate high levels of transparency. In turn, I appreciate that providers are keen to see a similar level of transparency from the Commission. There are two recent changes we have introduced that further our commitment in this regard.

The first is the introduction of updated provider feedback forms, which were [featured in the July edition of this newsletter](#). It's worth emphasising that the feedback forms are sent to an independent Australian analytical firm, Datatime Services. Any origin information is then removed before providers' observations and suggestions are sent to the Commission for use in our continuous improvement program.

The second change is our new site visit information leaflet, which is given to providers at the start of any onsite interaction with the Commission. The leaflet clearly sets out what providers

[Back to top](#)

can expect from Commission staff including, for example, our staff asking for consent to enter when arriving at premises, and how they will conduct themselves.

The leaflet also outlines what we expect from providers, including the cooperation and facilitation that our quality assessors and complaints officers rely upon to carry out their duties.

Knowing the value of transparency, the Commission will continue to work on this aspect of our operations just as we expect providers to.

## Getting to know the Standards – Standard 2, Ongoing assessment and planning with consumers

Standard 2 is featured this month, in our regular look at each of the Quality Standards, the overarching principles and requirements, along with links to supporting information, including guides, resources and case studies.

The consumer outcome for Standard 2 is:

*I am a partner in ongoing assessment and planning that helps me get the care and services I need for my health and well-being.*

[Back to top](#)

Standard 2 describes what organisations need to do to plan care and services with consumers, taking into account that irrespective of any challenges that a consumer may be experiencing with their health and abilities, they still have goals and want to live as well as they can.

The key to Standard 2 is to work in partnership with consumers to understand what is important to them, to listen to what they want and look at what they can do (their abilities). It is also vital that plans are regularly reviewed to ensure changes in a consumer's health and abilities are taken into account. Organisations should document the outcomes of assessments and discussions with the consumer and set an agreed review date, and the care and services plan should be available to the consumer and to those providing care to the consumer.

- [Standard 2 – Ongoing assessment and planning with consumers](#)
- [Standard 2 – Guidance and resources](#)
- [Case studies for Standard 2](#)

## Scenarios involving physical and/or chemical restraint

[Back to top](#)

To help providers understand issues and their responsibilities around minimising the use of physical and/or chemical restraint, the Commission has released the following:

- Scenarios involving physical and/or chemical restraint

The scenarios consist of a range of case examples to help providers understand issues around the use of physical and chemical restraint. All the scenarios are intended to be illustrative only, and are not to be relied upon as authority. Providers should be mindful of their obligations under the Quality of Care Principles 2014, and pay careful attention to the legislative requirements to minimise the use of restraint when applying those obligations to real-life situations.

Each scenario deals with specific circumstances of a consumer and explores whether the provider's response can be defined as a chemical or physical restraint. There is also an explanation of what kind of ongoing assessment and monitoring is required, as well as the need for documentation and the seeking of consent.

Download the [Scenarios involving physical and/or chemical restraint](#)

[Back to top](#)

# MOU means better protection for older Australians receiving aged care

Older Australians will be better protected as a result of a new Memorandum of Understanding (MoU) signed by the Commission and the Australian Health Practitioner Regulation Agency (AHPRA).

The MOU will support the Commission in raising concerns with AHPRA about the health, performance or conduct of registered health practitioners working in aged care. In a reciprocal arrangement, AHPRA will disclose information to the Commission if it has concerns about the care and safety of someone receiving Commonwealth-funded aged care services.

Essentially, the aim of the MoU is to ensure more timely sharing of information between the two agencies where there may be concerns in relation to individual registered health practitioners in aged care. It will also support better two-way communication between the Commission and AHPRA, in turn helping both parties better fulfill their statutory mandates.

AHPRA and the Commission have also agreed to work together to ensure that all aged care employers are aware of and use [AHPRA's online national register](#) to check that health

[Back to top](#)

practitioners working in aged care are appropriately registered and meet required registration standards and codes of conduct.

## Early findings against the Quality Standards

The Commission releases sector performance data on a quarterly basis, and we know that the July-September 2019 quarterly report (due for publication in November) is keenly anticipated because it will be the first report on activity and results under the new Standards.

Before November, the Commission is pleased to be able to share some early findings with the sector. From 1 July - 9 September, the Commission conducted assessment and monitoring activities relating to 480 aged care services.

For residential services (undergoing site audits, review audits or assessment contacts), early indications are that Standard 3 Requirement (3)(b) is one area where we are making findings of not met. Requirement 3(3)(b) is ***effective management of high-impact or high prevalence risks associated with the care of each consumer.***

Overall to date, for comprehensive audits of residential services, the Standards where non-compliance has been found most often are:

[Back to top](#)

- Standard 2 - Ongoing planning and assessment with consumers
- Standard 3 - Personal care and clinical care
- Standard 7 - Human resources
- Standard 8 - Organisational governance

A comprehensive report of performance data for July-September 2019 relating to both our regulatory and complaints functions will be published on the Commission's website in November. The [April – June quarter sector performance data](#) is now live on the website.

## Directions issued now on our website

In last month's bulletin, we reported that information on Serious Risk Decisions is now being published on the Commission's website. This month we have started publishing information relating to the issuing of Directions during complaint resolution processes.

If the Commission is concerned that a provider is not complying with their responsibilities under the *Aged Care Act 1997* and related principles, we will formally notify the provider of the

[Back to top](#)



Commission's concerns through a Notice of Intention to Give Directions (Notice), and offer them an opportunity to respond to those concerns.

If a provider does not respond or does not satisfy the Commission that they are compliant with their responsibilities, the Commissioner may issue Directions to the provider. Directions outline the actions the provider is required to undertake (including necessary timeframes) in order to meet its responsibilities.

Under the Aged Care Quality and Safety Commission Rules 2018, providers are required to comply with a Direction.

Publication of Directions provides additional information for consumers, as well as giving providers greater insight and understanding of the kind of actions the Commission is including in Directions to providers.

## Webinar on accountabilities of governing bodies in aged care

If you're a board member, director, executive or senior manager at a residential aged care or home service, you will shortly have an opportunity to participate in a webinar to be hosted by the

[Back to top](#)

Commission. Offering content that will help you to understand your regulatory and legislative obligations, the webinar will cover:

- the intent of the Aged Care Quality Standards
- your accountabilities under Standard 8 on Organisational Governance
- the main components of clinical governance and how it applies in different care settings
- what strong and poor clinical governance looks like
- information on key clinical governance issues including anti-microbial stewardship, open disclosure, and the use of restraints in aged care settings.

During the webinar, participants will hear from, and be able to ask questions of, our expert panel from the Commission, including Commissioner Janet Anderson PSM, Chief Clinical Advisor Dr Melanie Wroth and Executive Director Quality Assessment and Monitoring Operations, Ann Wunsch.

**Date/time:** Monday 4 November, 8.30am

**Registration link:** [Accountabilities of governing bodies in aged care.](#)

## Website updates

[Back to top](#)

**Sector Performance data** – the [latest Sector Performance data](#) is now live on our website. Covering the period March to June 2019, the data includes statistics on residential aged care, home services, and the National Aboriginal and Torres Strait Islander Flexible Aged Care Program.

**Corporate Plan** – like all government agencies, the Commission is required to produce a Corporate Plan that sets out our purpose, vision and values. Our plan also includes our functions and detailed information on our strategic priorities - [check it out on our website](#).

**New versions** of the ‘Home care letter to aged care consumers, advising of visit’ have been uploaded to the Commission’s website. You can find them by going to the Resources section and then selecting ‘letters and posters’ in the ‘Type’ menu on the right-hand side of the page.

## Sector news

Department of Health Emergency has issued an industry alert on emergency planning for aged care services.

The high risk season for major Australian weather events and bushfires is approaching. It is important that all aged care providers are well prepared and able to respond to emergency events which may impact your service and ability to deliver care.

[Back to top](#)

Maintaining quality care under these circumstances requires effective emergency risk management and planning.

The department's website provides resources that can assist in your emergency planning.

**Changed:** Friday, 4 October 2019 - 12:09pm

[Back to top](#)