

Complaints about aged care home services

– Insights for people receiving care

July – December 2023



Australian Government

Aged Care Quality and Safety Commission

Foreword

Janet Anderson PSM, Commissioner

Every person receiving aged care in Australia has the right to be treated with dignity and respect. They have the right to make choices, to be free from harm and to have confidence that their safety and the quality of their care is assured.

The Commission has an important role to play in helping to resolve concerns raised by people receiving aged care. We also analyse the complaints we receive about aged care to help us understand older people's experience of care.

Complaints about a service offer similar opportunities to the provider of that service – to fix the problem identified by the complainant and to improve the care experience for all older people.

This is our second report dedicated to sharing what we have learned from the complaints we receive. In our first report, we shared insights for providers on good complaint handling. In this, our first report for people receiving aged care, we focus specifically on the experience of those using home services (that is those receiving Home Care Packages, and those accessing Commonwealth Home Support Programme services).

These services play a vital role for many in terms of supporting them to remain as independent as possible at home. However, getting home services right is not always easy.

Home services should provide safe and quality care that meets older people's individual needs. Through complaints we can learn about the sorts of issues that can arise and provide some insights about what older people should expect from their provider. Information is also available to show how people can take part as equal partners in their care and how the Commission can help if things go wrong.



Our focus is on making sure that older people have a great experience of home services. This report aims to help older people understand what they can expect from both their provider and us to help them achieve the results from care that they are looking for.

The first part of this report provides an overview of home services, our role, your rights and what to expect. We have also included information on the complaints we receive and the common issues in home services.

The second part of this report covers how to get help and raise concerns as well as how we resolve complaints. We have also used case studies to show how we resolve complaints and the positive results we have achieved for people receiving care.

The report underscores the role, under the current Aged Care Act, of the Quality Standards and Charter in setting expectations for both older people and their providers about the quality and safety of aged care. The proposed new rights-based Aged Care Act will introduce strengthened Quality Standards that will serve the same purpose. This document will be revised to refer specifically to relevant provisions in the new Act when it is in place.



Janet Anderson PSM
Aged Care Quality and Safety Commissioner

May 2024

Message from the Complaints Commissioner

Louise Macleod

If you are receiving home services, or if you are caring for or supporting someone receiving home services, this report can give you a clear understanding of:

- your rights
- the Commission's role
- how to get help and make a complaint.

A complaint can be any kind of feedback or concern that shows that you are not satisfied with the services or care you receive.

It is okay to raise concerns or make a complaint about the services you are receiving. There are many important reasons to speak up and raise your concerns, including:

- fixing the problem more quickly and before it gets worse
- improving your experience and your relationships with the people providing your care
- helping other people who may be having the same problems
- making sure your rights are being upheld and you are treated with dignity and respect
- getting the quality care and services you have the right to receive
- feeling safe, supported and confident in the services you are receiving.

If something is not right or does not seem right, I strongly encourage you to speak up. Raise concerns with your provider first, if you can. This is often the easiest and quickest way to resolve issues.



You can also bring your concerns to the Commission's attention at any time. There is no wrong time to do this. It may be that you do not feel comfortable raising concerns with your provider, or you have already raised your concerns and are still not happy. Anyone can raise concerns with the Commission. You can also choose to make a confidential or anonymous complaint to us about an aged care service.

Information on how to get help and raise concerns about a provider is set out on [pages 23](#) and [24](#) of this document.

You can also speak with an advocate at the Older Persons Advocacy Network (OPAN) about your concerns. Your advocate can talk directly with the provider on your behalf. You can contact OPAN on 1800 700 600 or find further information at www.opan.org.au.

We care about your experiences and we want to listen and learn. We want to support and empower you to raise concerns with confidence and without fear. We can help you if you want to make a complaint. We will be ready to act on your concerns at any point.



Louise Macleod
Complaints Commissioner

May 2024



We would like your feedback to help inform future reports.

We are interested to know what data or information you would like to see – what would help you better understand and improve performance in managing complaints?

Email your suggestions to:
complaintsreportfeedback@agedcarequality.gov.au or

Write to us:
Aged Care Quality and Safety Commission
GPO Box 9819, in your capital city

Call us:
1800 951 822

Introduction

People receiving aged care in their home or in the community should be confident in the quality and safety of that care. That confidence comes from having choice and control over how your care is provided.

Older people have a lifetime of experience asking for the services they need. Whether it is asking for a medical service, a haircut or a car repair – older people know what they want and how to get it. It is the same with home services. You should be in control of shaping the care you receive and how it is provided.

In our most recent complaints insights report, [Complaints about aged care services – Insights for providers](https://www.agedcarequality.gov.au/resource-library/complaints-about-aged-care-services-insights-providers-report-2023)¹, we noted that there were fewer complaints about services provided at home or in the community compared with residential care. The purpose of this report is on helping you to understand what you can expect from your home services provider. It also sets out what to do if things are not going the way you want.

¹ www.agedcarequality.gov.au/resource-library/complaints-about-aged-care-services-insights-providers-report-2023



Home services and our role

Home services help older people stay independent in their homes. Home services can help with things like:

- personal care, such as showering and dressing
- transport
- preparing food
- shopping
- housework
- social activities.

The home services available to older people include:

- the Commonwealth Home Support Programme (CHSP) which helps older people access entry-level support to live independently and safely at home
- Home Care Packages (HCP) which help older people with more complex needs to live independently and safely at home for longer.

The Commission is the national regulator of aged care services. We protect and improve the safety, health, wellbeing and quality of life of people receiving aged care. We do this by holding aged care providers to account for the quality and safety of the care and services they provide.

We make sure home services meet the [Aged Care Quality Standards](#)² (Quality Standards). The Quality Standards explain what good care should look like. They apply to all aged care services that receive funding from the Australian Government.

Our role is to make sure that providers deliver care that meets the Quality Standards and follows the [Charter of Aged Care Rights](#)³ (Charter).

2 www.agedcarequality.gov.au/providers/quality-standards/about-quality-standards

3 www.agedcarequality.gov.au/older-australians/your-rights/charter-aged-care-rights

If you have concerns about aged care services, we can help. We provide advice on what people should expect from their provider and help to resolve concerns and complaints that people might have about the services they get. If necessary, we will use powers we have under the law to make providers deliver care that meets the Quality Standards and the Charter.

The Quality Standards are undergoing revision and will be strengthened under the proposed new Aged Care Act. The stronger Standards will aim to bring about further improvements in the quality and safety of care across the sector. In the meantime, the current Quality Standards remain very useful in emphasising what older people receiving care have a right to expect from aged care workers and their employers.



Your rights and what to expect



As a person receiving aged care, the law says that you have the right to:

1. safe and high-quality care and services
2. be treated with dignity and respect
3. have your identity, culture and diversity valued and supported
4. live without abuse and neglect
5. be informed about your care and services in a way you understand
6. access all information about yourself, including information about your rights, care and services
7. have control over and make choices about your care and personal and social life, including where the choices involve personal risk
8. have control over, and make decisions about, the personal aspects of your daily life, financial affairs and possessions
9. your independence
10. be listened to and understood
11. have a person of your choice, including an aged care advocate, support you or speak on your behalf
12. complain free from reprisal and have your complaints dealt with fairly and promptly
13. personal privacy and your personal information protected
14. exercise your rights without it adversely affecting the way you are treated.

Source: [Charter of Aged Care Rights](https://www.agedcarequality.gov.au/older-australians/your-rights/charter-aged-care-rights)

www.agedcarequality.gov.au/older-australians/your-rights/charter-aged-care-rights

The Aged Care Quality Standards

Everyone has the right to be treated with dignity and respect when they are getting aged care services. This includes people receiving home services. The Quality Standards explain what good care should look like. Under the Quality Standards, if you are receiving Commonwealth-funded home services, you should be able to agree with the following statements.

- 1**  I am treated with dignity and respect and can maintain my identity. I can make informed choices about my care and services and live the life I choose.

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

- 3**  I get personal, clinical, or both personal and clinical care, that is safe and right for me.

- 4**  I get the services and supports for daily living that are important for my health and wellbeing and that enable me to do the things I want to do.

- 5**  I feel I belong and I am safe and comfortable in the organisation's service environment.

- 6**  I feel safe, encouraged and supported to give feedback and make complaints. I am engaged in processes to address my feedback and complaints, and appropriate action is taken.

- 7**  I get quality care and services when I need them from people who are knowledgeable, capable and caring.

- 8**  I am confident the organisation is well run. I can partner in improving the delivery of care and services.

Standard 1

Consumer dignity and choice

“ I am treated with dignity and respect and can maintain my identity. I can make informed choices about my care and services and live the life I choose.

Everyone receiving aged care services has the right to be treated with dignity and respect. Everyone has the right to have their identity, culture and diversity valued.

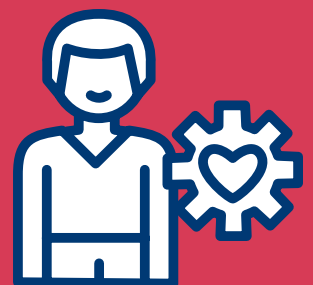
People receiving aged care should get what is called ‘person-centred care’. Person-centred care supports you to:

- take part in making decisions about your care
- work with your provider to set goals.

This allows you to make choices about your care and supports you to live the life you choose. You should expect your provider to work with you and discuss what activities, relationships and goals are important to you.

This Quality Standard focuses on a person’s sense of self, being independent and having the right to make informed choices. This includes the right to take risks. Your provider should talk with you about the importance of taking part in the community in the way you want. The provider should respond to and support your cultural and language needs. They should also give you information that is clear and easy for you to understand.

Privacy is an important part of making sure that people are treated with dignity and respect. Providers must manage personal information appropriately.



Standard 2

Assessment and planning

“ I am a partner in ongoing assessment and planning that helps me get the care and services I need for my health and wellbeing.

Your provider needs to work with you on assessment and planning of your care. Planned care and services should meet your goals and preferences. Your overall health and wellbeing are the priority.

Care workers with the right skills and qualifications will do the assessment and planning with you. Your provider should document the results of assessments and discussions in a care plan. That includes an agreed review date. The care plan should include:

- your goals, needs and preferences
- the services that you will receive
- who will provide the services
- when services will be provided, such as frequency, days and times
- care management arrangements
- how involved you will be in managing your package
- how often your provider will do formal reassessments.

The plan should be available to you and to those providing your care.

You can expect that your plan will be regularly reviewed. This means that any change in your health or abilities can be picked up, and services updated to meet your needs. This reduces the impact that any loss of ability will have on you and supports you to live your life with dignity.



Standard 3

Personal care and clinical care

“ I get personal care, clinical care, or both personal care and clinical care, that is safe and right for me.

You should receive safe and effective personal and clinical care if you need it. The care that providers deliver must be best practice and meet your needs, goals and preferences.

Personal and clinical care in your home can include:

- supervising or helping with bathing, showering, personal hygiene and dressing
- nursing services, such as treating wounds
- services to help you get back or improve your independence or ability to do day-to-day activities.



Standard 4

Services and supports for daily living

“ I get the services and support for daily living that are important for my health and wellbeing and that enable me to do the things I want to do.

You should receive services and support that are important for your health, wellbeing and independence. Your provider should consider your needs, preferences and goals to support your health, wellbeing and quality of life.

Services and support for daily living cover a wide range of options to help you live as independently as possible and enjoy life.

Home services and supports for daily living can include:

- domestic help, such as cleaning, laundry, gardening and home maintenance
- food services, like meals, food advice, delivery and preparation
- social support to encourage and help you to take part in social and other activities.



Standard 5

Service environment

“ I feel I belong and I am safe and comfortable in the organisation’s service environment.

This standard is about the physical environment where residential care, respite care and day therapy centre services are delivered. **It does not apply to home services where the care is provided in your own home or community.** However, some people using home services will access respite in residential aged care facilities or attend day therapy. In these cases, this standard will apply to you. You should feel safe and comfortable in these environments.



Standard 6

Feedback and complaints

“ I feel safe and am encouraged and supported to give feedback and make complaints. I am engaged in processes to address my feedback and complaints, and appropriate action is taken.

You should feel safe and comfortable making a complaint or giving feedback to your provider. Providers are not allowed to punish anyone for raising concerns or making complaints. We want to know if you feel any form of punishment because of making a complaint and we will take this seriously.

A provider needs to respond to complaints and feedback and be open and honest when things do not go as planned. A provider should regularly ask for your input and feedback and use this to help improve their services for everyone.

Your provider's complaints systems should be accessible, confidential, prompt and fair. Their complaints process should:

- support you to make a complaint or give feedback
- allow you to make complaints formally and informally, verbally and in writing
- encourage you to give both positive and negative feedback about the care and services you receive
- respond to feedback and focus on resolving issues.

If your provider's complaints process does not do these things, you can raise this with the Commission and we will look into it for you.



Standard 7

Human resources



I get quality care and services when I need them from people who are knowledgeable, capable, and caring.

You can expect your provider to have skilled and qualified staff to meet your needs. They should also have enough staff to deliver safe, respectful and quality care.

Providers should support their staff and regularly assess, monitor and review them. This is to make sure they have the right skills and knowledge and are performing well.

You can expect your care to be provided by someone who is kind and good at their job.



Standard 8

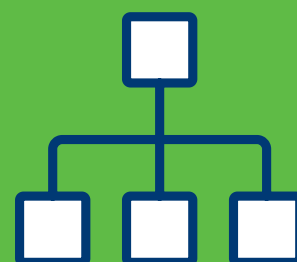
Organisational governance

“ I am confident the organisation is well run.
I can partner in improving the delivery of care
and services.

Like any other business, the organisation providing your care should be well run. This means you should feel confident that managers and workers communicate well with each other and with you. It also means being confident in their processes and systems to deliver the right services to you in a way that is safe and inclusive.

The provider should involve you and ask for your input and ideas to improve the quality of the care and services you receive. You should feel your provider is working with you to improve their services – acknowledging your ideas, fixing any issues you raise, and stopping problems from happening again.

This could also mean that your provider makes small improvements over time that make a big difference to you. You should see how you are making a difference and influencing your care experience, and how your provider is continually improving.



Complaints we receive about home services

1 July 2023 – 31 December 2023

We can learn a lot about the problems that older people have with home services by looking at the complaints we get about these services.

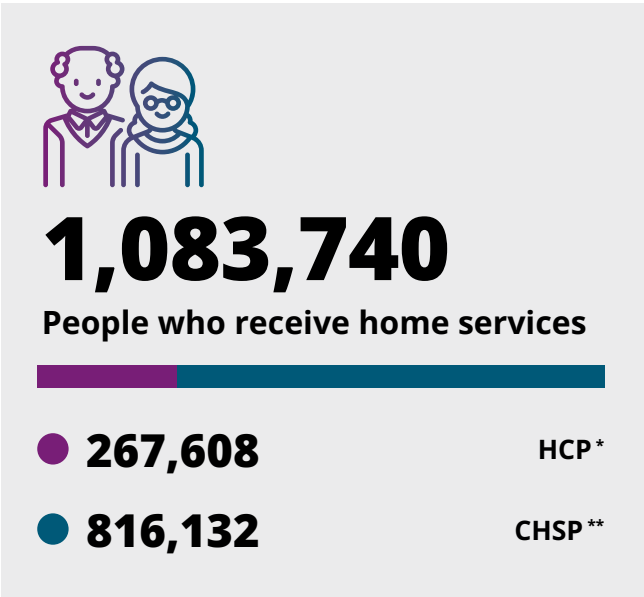


Figure 1. Number of people who receive home services
* Home Care Package (HCP)
** Commonwealth Home Support Programme (CHSP)
Source: Data extracted from Health data portal (RBITS) on 24 January 2024

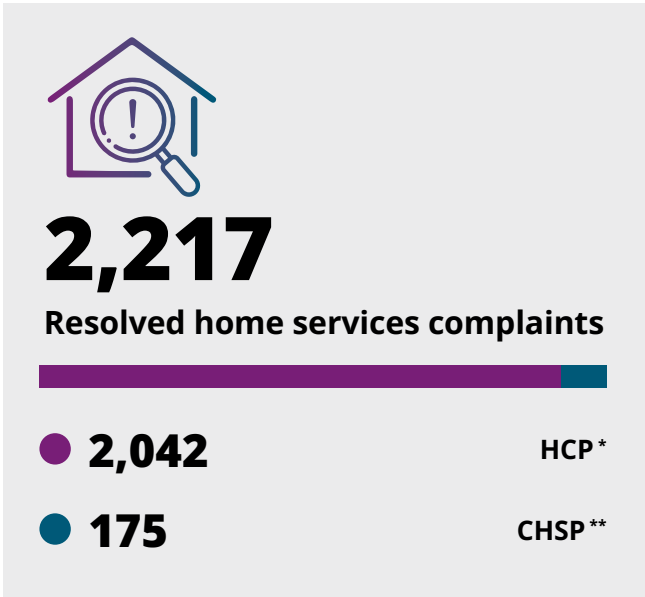


Figure 2. Home services complaints resolved, including breakdowns for HCP and CHSP services
* Home Care Package (HCP)
** Commonwealth Home Support Programme (CHSP)

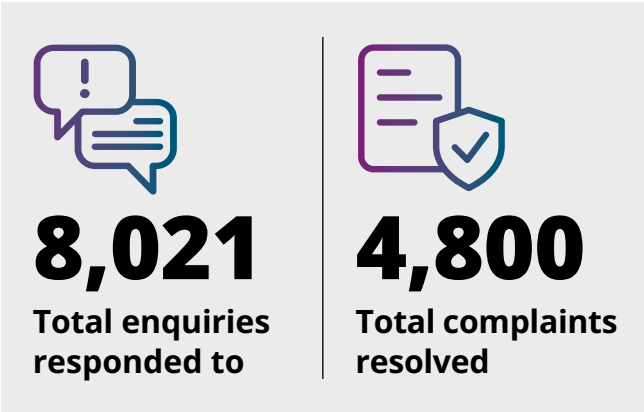


Figure 3. Total number of enquiries responded to and complaints resolved (all aged care services)

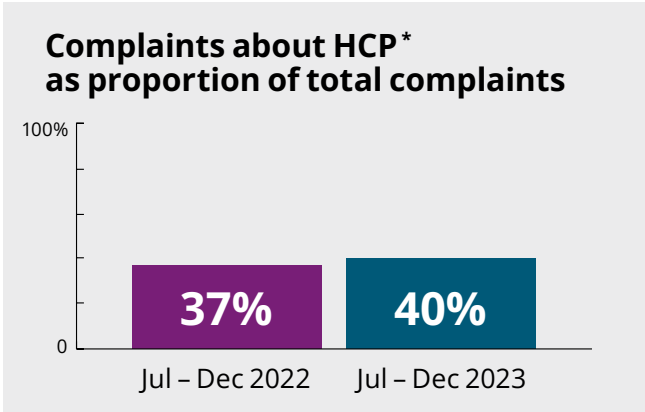


Figure 4. Comparison of proportion of HCP complaints between July – December 2022 and July – December 2023
* Home Care Package (HCP)

Home services complaints figures by state and territory

| | NSW | VIC | QLD | SA | WA | TAS | NT | ACT | Blank | AUS |
|--|---------|---------|---------|--------|--------|--------|--------|-------|-------|-----------|
| Received | 536 | 462 | 448 | 146 | 228 | 44 | 13 | 19 | 42 | 1,939 |
| Resolved* | 603 | 615 | 469 | 162 | 225 | 56 | 17 | 28 | 42 | 2,217 |
| Home services recipients | 318,936 | 294,833 | 237,631 | 97,587 | 82,436 | 30,795 | 10,086 | 7,581 | 3,855 | 1,083,740 |
| Complaints received as % of total home services recipients | 0.2% | 0.2% | 0.2% | 0.2% | 0.3% | 0.1% | 0.1% | 0.3% | - | - |

Table 1. Complaints and issues by care type and state

* Some of the complaints resolved between 1 July 2023 and 31 December 2023 were received before 1 July 2023. This is why the table shows more complaints were resolved than received.

Home services complaints received by complainant group

| Complainant group | Number of complaints |
|---------------------------------|----------------------|
| Care recipient | 893 |
| Representative or family member | 838 |
| Others* | 106 |
| Anonymous | 102 |
| Total | 1,939 |

Table 2. Home services complaints received by complainant group

* Others include staff, external agencies, media, internal referrals, providers or other interested people



Figure 4. Complaints resolution timeframe

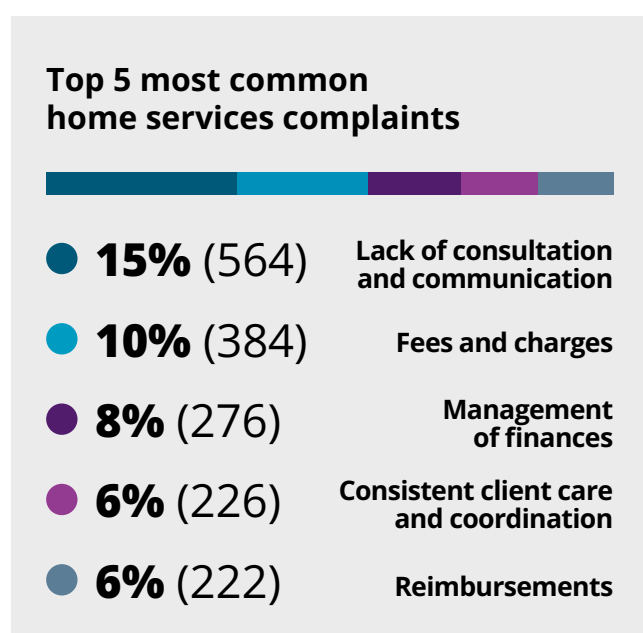


Figure 5. Top 5 most common home services complaints

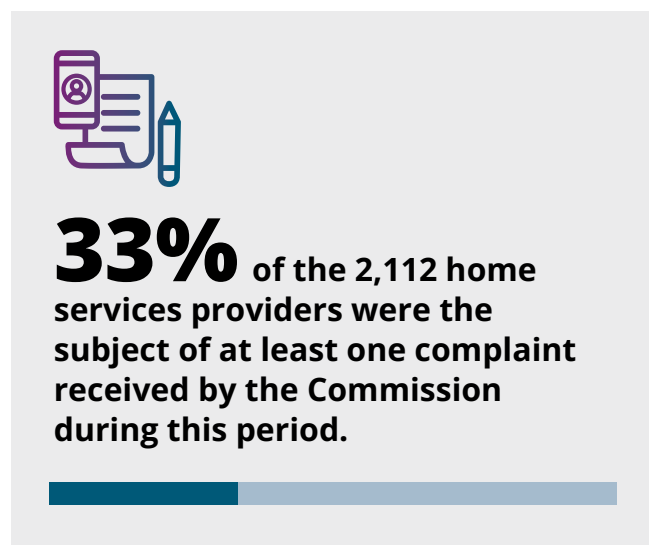


Figure 6. Providers subject to at least one complaint



Figure 7. People who made a complaint satisfaction

Common issues in home services

From the complaints we receive, we know that the most common issues people have with home services relate to 2 main areas – communication and finances.

Older people have told us that providers do not always involve them in planning their care or communicate well about how their services are coordinated.

They can also have issues understanding fees and the way the provider charges for services. This can include problems understanding statements and invoices.

So, for people choosing a home service provider, or currently getting home services, this may be an area to pay special attention to.



Top tips for getting the best from your home services



Talk to your provider about how you will get to make choices about your care, and how the provider will keep in contact with you. It can be good to get this sorted early on. It is a chance to make your expectations clear, reach agreement with your provider, and avoid misunderstandings later.



Ask what happens if a carer is not available or your needs change. How will you and the provider communicate with each other about these kinds of things?



It is okay to tell the provider how you want them to stay in touch with you, and how you want to be involved in decisions about your care.



A good care plan can help. Make sure you have a copy of yours. Remember – your provider is responsible for giving you this information and communicating with you properly.



You have a right to know what you are being charged for the service you are receiving and your provider should explain this to you.



It is okay to ask if you do not understand a statement or invoice. The provider must explain it in a way you can understand. Do not be afraid to ask for a better explanation.



If your care is not what you agreed to or were promised, talk with your provider about this if you can, or let us know. We want to know if you are not getting the care you were promised.

How to get help and raise concerns

Often, the best way to get concerns resolved is to raise them directly with your provider, if you feel comfortable doing that. Discussing things with your provider can be the quickest way to resolve an issue.

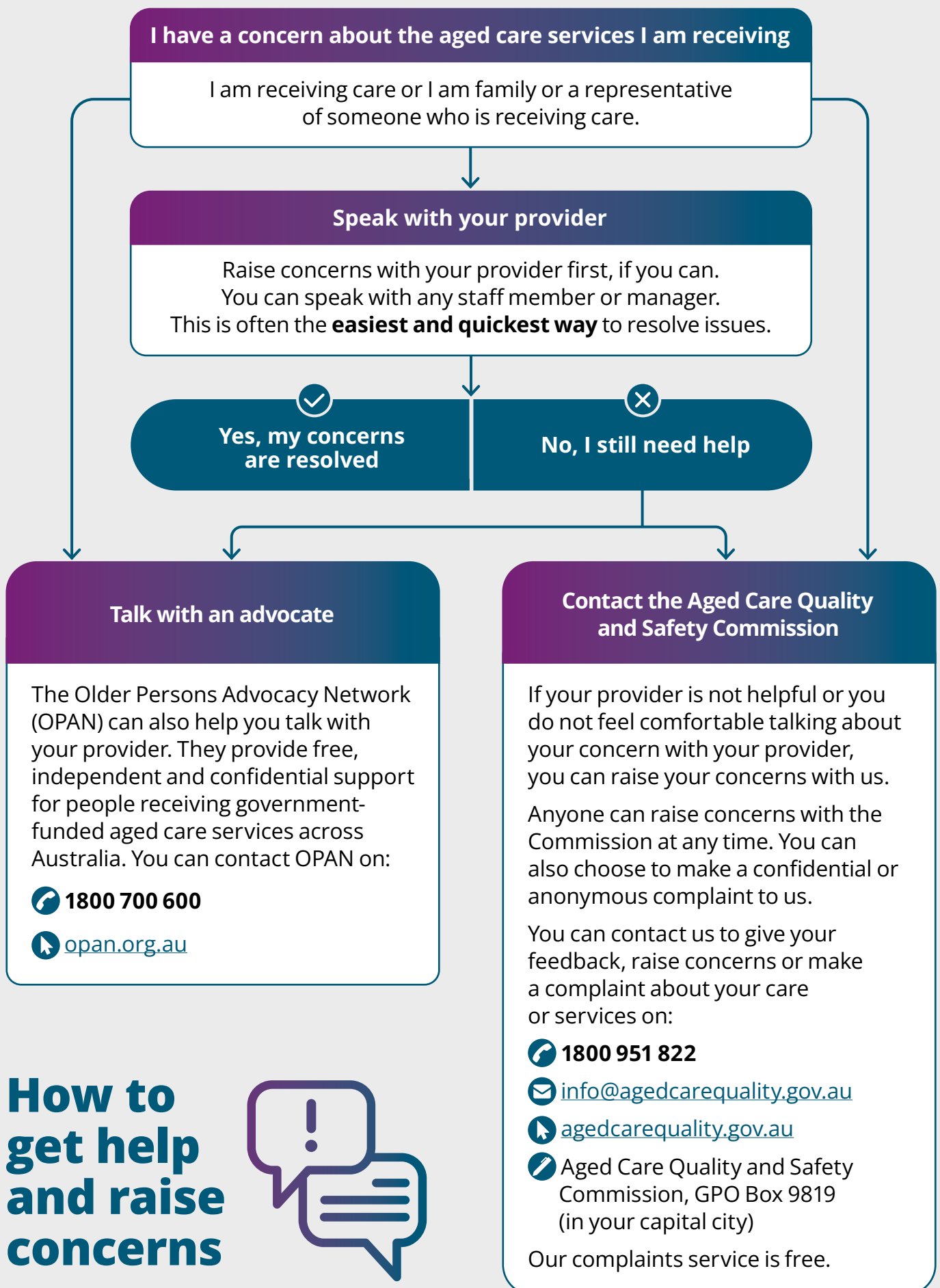
Raising concerns is not you 'being difficult' – it is a normal and important part of ensuring that the services being provided are meeting your needs.

Providers are not allowed to punish people for raising concerns.

Good complaints handling keeps the focus on the person receiving care and recognises their right to safe and quality care and services.

There are many people you can speak with about your concerns.





How we resolve complaints

When a person contacts us, we listen and ask questions about the complaint. This helps us understand the issues and the result you are looking for. If we cannot help with the complaint, we will explain why and let you know who may be able to help.

Our complaints officers will work with you (or your representative) and your provider to find a solution to the problem.

1

Listen and learn

We will talk with you to understand your concerns and the result you want.

2

Speak with provider

We will speak with the provider about your concerns and their responsibilities.

3

What to expect

We will help you understand what you can expect from the provider.

4

Create a plan

We will help the provider create a plan of what they will do to resolve your complaint.

5

Assess provider actions

We will assess the provider's response to make sure that they are working to fix the issues, and also that services are meeting the required standards. We also monitor to make sure that providers continue to meet the standards and comply with the law through our broader regulatory work with providers, outside of the complaints process.

6

Follow up

We will check in with you, or your representative, to make sure that the provider has fixed the issues.

7

Taking action

If we need to, we can take action under the law to make sure providers improve the quality of their service and meet their responsibilities.

8

Feedback

We will ask for your feedback about your experience and our complaint process. We use this information to improve how we handle complaints.

The outcomes to a complaint can include things like:

- changes in a provider's practice or process
- an apology
- better training for staff
- clearer understanding of fees
- reimbursed fees
- better explanation of services.

In some cases, we take no further action. This may happen when an anonymous complaint is received but there is not enough information for us to do anything with it, or in cases where no further action is required. This can happen when an issue is not ongoing and there is no outcome that can be reached through a resolution process.

In all cases, we use complaints as intelligence. This helps us understand the bigger picture about what the provider is and is not doing, whether they are meeting the standards and complying with the law, and informs the future regulatory actions we take.

How to ask for a review of our decision or complain about our services

We welcome feedback about our complaint decisions or service. Your feedback allows us to address any concerns you may have about our work and improve the way we work in the future. It can also help achieve the best outcome from the complaint for the person receiving aged care, and for others.

Ask us to review the complaint decision

If you are not happy with a decision we have made about a complaint, you can ask us to review it. Service providers can also seek review of a decision to end a resolution process. Where we have finalised your complaint to your satisfaction, we are unable to review that decision. However, if you are not satisfied that the service provider has resolved your concern you are welcome to contact us again. You may not request a review if you have chosen to be anonymous or if you withdraw from the complaints process.

If you want us to review our decision, you must contact us within 42 days of receiving our decision letter and state the reasons for your request.

You can ask us to review our decision by:

- **Phone:** 1800 500 294
- **Email:** complaintsreviews@agedcarequality.gov.au
- **Write:** Review Manager, Aged Care Quality and Safety Commission, GPO Box 9819 Melbourne VIC 3001

How to complain about our service

If you are not happy with the way we managed the complaint, you can complain to us about this. We are committed to improving our service and we welcome your views, even if they are critical. You can find out how to complain about our service through our website or by speaking to a complaints officer.

- **Web:** agedcarequality.gov.au
- **Phone:** 1800 951 822

Ask the Commonwealth Ombudsman to review our actions

You can also ask the Commonwealth Ombudsman to review our actions in managing your complaint.

If you are not happy with our actions in managing your complaint, we encourage you first to contact us so that we have the opportunity to address your concerns directly with you. If you want to communicate with the Ombudsman, the contact details are:

- **Phone:** 1300 362 072
- **Web:** ombudsman.gov.au
- **Email:** ombudsman@ombudsman.gov.au
- **SMS:** 0413 COM OMB (0413 266 662)
- **Write:** GPO Box 442, Canberra ACT 2601

Case studies

These case studies, which are drawn from actual complaints but use different names, are provided to illustrate both the sorts of complaints that the Commission receives about home services, and how we work with providers to address them.

Case study 1

Home Care Package fees and communication of changes

Complaint description

Leon was receiving a Level 3 Home Care Package (HCP). Leon's sister Rhonda is his guardian.

In January 2023, the provider said Leon had extra funds of almost \$8,000 and suggested he use it on extra care. In May 2023, the provider told Rhonda that they had overspent his package and Leon's HCP now had a debt of \$5,942. Following this, the provider told Rhonda they had put a plan in place to reduce the debt, which included reducing Leon's services.

In July 2023, the provider told Rhonda that the HCP debt had increased to \$12,636. The provider also said Leon needed to start repaying the debt from his personal funds at \$537.50 a month or by paying the full amount up front. Rhonda then lodged a complaint with the Commission about the way the provider's confusing and inconsistent communications about the package funds. There was no clear information from the provider to explain how such a large debt had been accrued.



What we did

We raised this issue with the provider. They agreed they had not monitored or managed the package funds correctly. They told us that they had offered a \$5,000 credit towards the debt to recognise they had made mistakes managing the HCP.

Rhonda gave us a copy of a new fee statement that showed the package was still not covering the amount that was being spent. This meant that the debt would keep increasing.

We asked the provider to explain:

- why the package was still causing further debt
- why they did not tell Rhonda about the extra increase in HCP overspending
- why they had not told us
- how they were following the [User Rights Principles 2014](#)⁴
- how they were going to resolve this complaint and make sure their delivery of services under Leon's package did not cause any further debt.

Results

The provider was not able to respond adequately to some of the above requests, including demonstrating how they were complying with Aged Care Quality Standards 2 and 8, and the User Rights Principles 2014. After some time, the provider agreed to take full responsibility for payment of the debt and excess charges. They also submitted a plan to fix the underlying issues that led to Leon's package going into debt.

The Commission provided feedback to the provider on using open disclosure when handling complaints. We also recorded the issues for consideration in the next audit of the service. This will help to monitor and identify systemic issues which might impact other HCP recipients.

⁴ www.legislation.gov.au/F2014L00808/2019-07-01/text

Case study 2

Changes in an older person with dementia

Complaint description

Giovanni was receiving a Level 4 Home Care Package (HCP) with a dementia supplement.

As part of living with dementia he went back to using his first language, Italian. He was no longer engaging when English was being spoken. He was getting frustrated when he could not understand what people were saying to him. Sometimes he would yell, and on occasion, slap the carers providing his services.

The head office of the provider of Giovanni's care is in a different state from where he lives. The provider subcontracts carers to provide Giovanni with support and care. The subcontractor continually sent carers who did not speak Italian even though his family told them about Giovanni's behaviour and needs.

The provider told Giovanni's family that the carers do not want to provide care to Giovanni anymore. The provider told Giovanni that they would be stopping his services. They asked Giovanni's family to find another provider.

Giovanni's family made a complaint to the Commission about his choices not being respected and the services being stopped.



What we did

Our complaints officer spoke with the provider and Giovanni's family to get an understanding of the concerns. After speaking with his family, the complaints officer reminded the provider of their obligations under Security of Tenure. This means that if a provider can no longer deliver services for reasons of their own, they must help the person/people receiving care to find a new and suitable provider in their area to take over their care.

We also spoke with the provider about the changes in Giovanni's health and the impact on him of not being able to communicate with his carers. The Commission requested that the provider work with Giovanni's family to find him an Italian speaking provider to better suit Giovanni's needs.

Results

Our complaints officer stayed in touch with Giovanni's family throughout the process until their current provider helped them link up with a new Italian speaking provider in their area. They were happy that Giovanni was now receiving care from carers who spoke Italian and was also joining in on outings at the local Italian Club.

The original provider gained an understanding of their obligations under the Security of Tenure provisions. They also agreed to educate their staff more on dementia care using online resources from Dementia Services Australia.

Case study 3

Advocacy helps support older person where provider improves practice

Complaint description

Jim was the recipient of a home care package and lived in a rural area. Jim didn't have any family support or close neighbours, and had not heard from his provider for over 2 months. He contacted the Commission and said he was worried he might lose his package. Jim wanted some help to work out how he could get his services back.

What we did

Jim did not feel confident in raising his concerns with the provider directly, and he felt overwhelmed at having to try and sort everything out on his own. He was hard of hearing and found phone conversations challenging at times. The complaints officer asked for Jim's permission to reach out to the Older Persons Advocacy Network (OPAN) on his behalf to see if they could help Jim arrange a time to meet with his provider to discuss his needs in person.

Results

The complaints officer contacted OPAN and received a call back on the same day, where they were able to provide Jim's details and some background on the situation. OPAN reached out to Jim and supported him to connect with his provider and arrange for them to visit him, which they did that week. OPAN also reminded Jim of his rights to good and regular care as an older Australian, and he can now contact them again if he needs an advocate in future.

The complaints team contacted Jim's provider to understand more about what happened. They apologised to Jim for the lack of contact, and explained that they had some unexpected staff changes which impacted on the proper handover of clients. They also submitted a remedial action plan to the Commission to explain how they would manage staff handover more effectively in future, and to ensure nobody else was placed in this situation.



Case study 4

Choosing a service provider you trust

Complaint description

Adele was receiving assistance through the Commonwealth Home Support Programme (CHSP) while she was waiting to be allocated a Home Care Package. She had always been a keen gardener and enjoyed sharing her garden with neighbours and visitors, especially her large mulberry tree which was popular with the neighbourhood children.

While Adele had been receiving support from her provider for shopping and social outings, she sometimes privately paid for a local small business to mow her lawn and trim her large trees. The business was familiar with her garden and always treated it with care. They only maintained the parts of the garden she could no longer safely do herself.

Adele told her CHSP provider she would like some help in the garden. The provider gave her a list of service providers for gardening in her area but her preferred business was not on the list. Adele was told she had to choose one from the list because it was easier and faster. Adele tried one of the service providers listed but the service provider cut back all her plants and left Adele with none of the tasks she enjoyed doing herself around the garden for several weeks.



What we did

Adele rang the Commission to ask why she could not use her preferred lawn mowing business as a service provider through her CHSP provider. We told her that she can request the service provider of her choice. However, any business providing services funded through a CHSP provider must register with My Aged Care and undergo some police and insurance checks.

The Commission contacted Adele's provider to understand why they told her she could not use her preferred gardener. We drew the provider's attention to the Commonwealth Home Support Programme Program Manual 2023–2024 and asked if they would be willing to contact Adele's preferred gardener to discuss how they could start providing services under the CHSP.

Results

The CHSP provider contacted Adele's local gardener and explained the process of registering with My Aged Care. The provider also explained how this would allow the gardener to accept jobs from people receiving assistance through the CHSP.

The gardener was able to provide the required documents and register formally. This meant they could continue maintaining Adele's garden and she only had to pay the contribution amount rather than the full amount.

Once the CHSP provider had a greater understanding of the process involved, they were able to build their network of other local businesses to add to their list as well, which increased the choice available to all their clients.



The Aged Care Quality and Safety Commission acknowledges the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to Elders both past and present.



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