



# Inspections – what to expect

For providers and workers

**The Aged Care Quality and Safety Commission protects the safety, health, wellbeing and quality of life of people who use Australian Government-funded aged care services. This fact sheet describes how we use inspections to perform our safeguarding role to monitor how aged care providers and workers are meeting their obligations under the Aged Care Act 2024 (Aged Care Act).**

## When we do inspections

Inspections help us identify and manage risks to people using aged care services.

We do onsite inspections to assess risk to people receiving aged care. If we find unmanaged risks, we may tell you to apply strategies to reduce these risks and comply with the Aged Care Act.

We may do an inspection when:

- we're concerned there are high levels of risk to older people – for example, after receiving a serious incident response notification, complaint or feedback
- a provider or worker isn't complying (or we think they might not be complying) with their obligations and there's a risk

to the safety and wellbeing of older people

- we're checking if you have made progress in fixing non-compliance we've found in the past
- doing an inspection is the right way to seek assurance of risk controls.

## We may or may not notify you before an inspection happens

We may announce inspections (call or write to you before we inspect your premises) or we can arrive without prior notice.

We can do unannounced inspections if:

- there's a high risk of harm to an older person
- the type of evidence we need is best collected without warning

## Who does inspections

- Authorised Commission officers (officers) do inspections. The Commissioner appoints them to perform functions and exercise powers as set out in the Aged Care Act and Regulatory Powers Act.
- An officer may have people helping them (known as 'persons assisting'). A person assisting may help by performing functions and duties as directed by the officer.



- Our officers are committed to the Commission's vision and values.

### What happens during an inspection

Chapter 6 of the Aged Care Act allows us to use our regulatory powers to perform our functions. These powers are granted to us under Part 2 of the *Regulatory Powers (Standard Provisions) Act 2014* (Regulatory Powers Act). They allow us to enter a premise and monitor providers and workers to determine if they're complying with the Aged Care Act.

Officers can enter a provider's premises such as a residential care home or provider office. We do not inspect private homes where home care services or specialist aged care programs are delivered. Officers may enter:

- with the provider's consent
- under a warrant or certificate from the Commissioner.

During an inspection we will

- hold an entry meeting to:
  - explain what you can expect during the inspection
  - give you an opportunity to ask questions
- collect information and evidence onsite to assess if you're complying with your obligations. For example, we may:
  - ask questions
  - ask you to show us documents
  - search the premises and anything on the premises
  - examine or observe any onsite activity

- inspect, test or take measurements of anything on the premises
- take photos, videos, and any other recordings of anything at the premises
- inspect any document on the premises
- take information from, or make copies of any of these documents
- bring equipment and materials we need onsite.

- work with you to make sure you:
  - are managing risks to older people in a timely way
  - have systems to reduce ongoing risks
- assess areas we've found to be non-compliant in the past to make sure you're addressing them effectively
- evaluate how effective your actions are to address the risks we identify. This includes assessing if you've removed the risks or have risk controls in place.

### What happens if we find issues or concerns

- We'll raise any concerns or issues we find during the inspection. You'll have an opportunity to respond.
- If we find you're not managing risk effectively, we may ask you to explain how and when you'll set up appropriate risk controls.
- We may take action to reduce the risk while we're onsite. For example, we may:
  - require you to take specific actions to address a complaint or serious incident





- issue a compliance notice.

### How long an inspection takes

- When we contact you about an inspection, we'll discuss timing with you.
- Our officers will also talk to you about the inspection times at the entry meeting.
- If we need to do inspections outside of the times we've talked about, the officer will discuss this with you.

### What happens at the end of an inspection

- The officers will hold an exit meeting with you before they leave your premises. They'll talk to you about their findings.
- After the inspection, we will send you a report. It will tell you what we found, and what will happen next.
- You will have time to consider and respond to the report.
- We will consider your response before we decide what to do next.

### Outcomes

If we decide that you're not complying with your obligations under the Aged Care Act, we may:

- support you to manage risks or harms and address concerns
- do more monitoring
- issue a compliance notice or enter into an enforceable undertaking with you
- take enforcement action if:
  - you're not willing or able to deliver long-lasting solutions

- there is unacceptable or system-wide non-compliance.

Enforcement actions may include:

- issuing banning orders or infringement notices
- applying for fines or injunctions (legal orders) through the courts
- referring a matter for criminal prosecution
- varying (changing), revoking (cancelling) or suspending your provider registration.

### More information

If you have questions you can contact:

- the authorised Commission officer
- us:
  - email us at [info@agedcarequality.gov.au](mailto:info@agedcarequality.gov.au)
  - phone: 1800 951 822
  - post: GPO Box 9819, in your capital city.

