



Regulatory Bulletin

Assessment contacts

RB 2020-09

This Regulatory Bulletin covers the Commission's processes and responsibilities in relation to assessment contacts with accredited services, previously accredited services and home services.

Key points

- An assessment contact means any form of contact other than a site audit, review audit or quality audit between a regulatory official and the provider of the service for a purpose as outlined in this Regulatory Bulletin.
- Assessment contacts are activities conducted by the Commission to assess a provider's performance against the Quality Standards or monitor the quality of care and services.
- The Commission is able to make assessment contacts with any provider of any service, including a previously accredited service.
- The Commission may decide to make an assessment contact at any time, including outside of business hours and on weekends.
- Assessment contacts can be made with notice (announced) or without notice (unannounced).
- The focus of assessment contacts will vary in response to current and emerging risk.
- The Commissioner may identify that there is a need for a review audit or quality review of the service, during or after an assessment contact.



Assessment contacts

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Information in this bulletin applies to:

- All residential aged care services and flexible care services through which short-term restorative care is provided in a residential care setting
 - All home care services, Commonwealth Home Support Programme (CHSP) services and flexible care services through which short-term restorative care is provided in a home care setting.
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Attachment: n/a

Notes: This Regulatory Bulletin has been updated to include a new table of information as well as minor formatting changes.

Other updates include information about consent to enter premises and exclusion of specific dates for unannounced assessment contacts.

To be reviewed: 24 February 2021



Assessment contacts

Assessment contacts are an important part of the Aged Care Quality and Safety Commission's (Commission) regulatory framework for monitoring the quality of care and services provided by providers of aged care services. The Commission takes a risk-based and proportionate approach to determining the arrangements for assessment contacts, this includes determining when an assessment contact will be conducted and for what purposes.

In this Bulletin:

- **accredited services** include residential aged care services as well as flexible care services through which short-term restorative care is provided in a residential care setting
- **assessment contact (monitoring)** means an assessment contact for the purpose of monitoring the quality of care and services provided by the provider through the service.
- **assessment contact (performance assessment)** means an assessment contact for the purpose of assessing the provider's performance, in relation to the service, against the Quality Standards
- **assessment team** means the assessment team formed to conduct the assessment contact; consists of one or more quality assessors
- **home services** means home care services, Commonwealth Home Support Programme services and flexible care services delivering short-term restorative care in a home care setting
- **previously accredited services** are services that were, but are no longer, an accredited service
- **Quality Standards** refers to the Aged Care Quality Standards
- **regulatory official** means the Commissioner, their delegate or a quality assessor.



Aged Care Quality and Safety Commission Rules 2018

The Aged Care Quality and Safety Commission Rules 2018 (Commission Rules) define an assessment contact as any form of contact other than a site audit, review audit or a quality review between a regulatory official and the provider of the service for either or both of the following purposes:

- to assess the provider's performance, in relation to the service, against the Quality Standards
- to monitor the quality of care and services provided by the provider through the service.

The Commission Rules include provisions to inform aged care consumers (consumers) and their nominated representatives about an assessment contact in the form of a visit to the premises; requesting information or documents; and reporting about an assessment contact.

Frequently asked questions

1. Why would an assessment contact be conducted by the Commission?

Assessment contacts are activities conducted by the Commission to monitor the quality of care and services provided by providers of aged care services. Assessment contacts are not site audits, review audits or quality audits.

The Commission may conduct an assessment contact for a number of reasons.

- To assess the provider's performance, in relation to the service, against the Quality Standards:
 - where a previous audit or assessment contact identified non-compliance with the Quality Standards
 - following receipt of information or regulatory intelligence about the service or provider, for example, complaints or compulsory reporting information that identifies risk of harm to consumers or issues with the quality of care and services
 - the introduction of a regulatory campaign to address systemic risks prevalent at a sector level.



- To monitor the quality of care and services provided by the provider through the service:
 - where a previous performance assessment has identified areas for improvement to ensure a service complies with the Quality Standards
 - following receipt of information or regulatory intelligence about the service
 - undertake structured consumer experience interviews and reports
 - in the form of a regulatory campaign to address systemic risks prevalent at a sector level
 - changes in regulatory compliance expectations for the sector
 - provide information at a provider’s board or consumer meeting regarding key issues identified regarding the quality of care and services.

Assessment contacts (performance assessment) usually have a targeted scope of one or more of the Quality Standards based on risk.

Assessment contacts (monitoring) do not involve a performance assessment but may be used to gather information that informs whether a performance assessment is required.

Site audits and **review audits** involve an assessment team carrying out a comprehensive assessment of the quality of care and services provided through the service against all of the Quality Standards.

Quality audits involve an assessment team carrying out a comprehensive assessment of the quality of care and services provided through the service against the applicable Quality Standards.

- A **site audit** is required to be conducted so that the Commission can make a decision on an application for re-accreditation.
- A **review audit** may be conducted so that the Commission can assess continuing performance against the Quality Standards and review the service’s accreditation status.
- A **quality review** requires a **quality audit** to be conducted so that the Commission can assess performance against the Quality Standards for home services.



2. When are arrangements for assessment contacts determined?

The Commission may decide to make an assessment contact at any time, including outside of business hours and on weekends.

The Commissioner considers the individual situation of the service and any relevant information when determining the arrangements for assessment contacts.

When deciding the arrangements for an assessment contact, the Commissioner will determine the purpose(s) of the assessment contact, the type of contact such as through a site visit, meeting or phone call, the timeframe for completing the assessment contact and the scope of the assessment contact.

3. What are the different ways the Commission conducts assessment contacts?

Assessment contacts can be conducted by a regulatory official in a variety of ways depending on the risk profile of the service and the purpose or reason for the assessment contact. An assessment contact may be conducted via:

- **a visit to a service** when information required by the Commissioner for monitoring purposes is best obtained through a visit; for example, where a Notice to Remedy has been issued by the Commission, a quality assessor attends the premises of a service to assess the provider's performance against the Quality Standards so that the Commission can determine if the provider has remedied the non-compliance

- **contact with the provider by phone or email** when information required by the Commissioner for monitoring purposes can be obtained without a visit to the service or when a visit is not possible due to travel restrictions or other reasons; for example, a quality assessor contacts a provider to review their progress against the service's plan for continuous improvement; or the Commissioner's delegate contacts a provider to discuss a change in regulatory compliance expectations.
- **attendance at a management meeting or board meeting** to obtain information or to discuss requirements or key issues.

The Commission may also make an assessment contact 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 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, the Commission 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.



4. Are approved providers notified of an assessment contact?

Assessment contacts can be announced (prior notice given to the provider of a service) or unannounced (made without notice).

Announced assessment contacts are conducted with written or verbal notice to the provider of the service. The provider may be notified of the assessment contact arrangements, information about the purpose(s) of the assessment contact, the form the assessment contact will take and, where possible, the scope of the assessment contact.

Unannounced assessment contacts are an important part of the Commission's monitoring activities, usually undertaken for the purpose of assessing the provider's performance, in relation to the service against, the Quality Standards. They are conducted with no prior notice, written or otherwise, to the provider of the service.

Unannounced assessment contacts provide increased assurance to the public that services comply with the Quality Standards at all times. The Commissioner may conduct an unannounced assessment contact:

- in response to complaints or compulsory reporting information received by the Commission
- to follow up gaps in systems and processes identified in a previous performance assessment
- to support the introduction of a regulatory campaign to address systemic risks prevalent at a sector level
- in response to increasing non-compliance in other services operated by the provider.

5. Is a provider able to request that the Commission not conduct an unannounced assessment contact on a certain date?

Providers are able to request that specific dates be excluded for unannounced activities. Although the Commission does not guarantee visits will not occur on those days, the Commission will consider these dates when scheduling activities.

The Commission has released a [Regulatory Bulletin](#) outlining the Commission's policy about provider requests to exclude specific dates for unannounced activities.

6. What is the process for a provider granting consent for an Assessment Team to enter the premises for an assessment contact?

Upon arrival at the service's premises, the regulatory official will request consent to enter the premises and exercise search powers for the purpose of conducting the assessment contact. The quality assessors will show their credentials and give the person in charge at the premises a letter confirming the visit.



7. What documents may be requested for an assessment contact?

Where the assessment contact involves a visit to the premises of a service, the *Aged Care Quality and Safety Commission Act 2018* empowers the Assessment Team to request a person at the premises to answer any questions and produce requested documents.

For assessment contacts (performance assessment) with accredited services, this includes certain key documents to help the team understand the aged care service and identify consumers and staff to speak with. These key documents are needed at the commencement of the visit and are requested at the entry meeting. They may be provided to the Assessment Team during the meeting if readily available but are expected to be provided within one hour of the conclusion of the meeting.

For more information on the list of documents that will be requested, refer to the [Initial documentation Information for Providers](#) on our website.

Under the Commission Rules, the Commission may request from a provider information or documents relating to an assessment contact where the contact does not include a visit to the premises of the service.

For example, the Commissioner may request via email that a provider submit self-assessment information or a plan for continuous improvement. This may be required for the purpose of assessing the approved provider's performance in relation to the service against the Quality Standards. A provider must provide this information when requested.

8. Do consumers need to be notified of an assessment contact?

If the assessment contact is notified to the provider (announced) and involves a visit to the premises of a service, the Commission may give the provider:

- of an accredited or previously accredited service, a poster to inform consumers about the visit; providers must display the poster in one or more prominent locations within the service as soon as practicable after receiving it
- of a home service, the form of words to be used to tell consumers about the visit; providers must use the form of words to tell consumers of the service about the assessment contact.

The poster and form of words are available on our [website](#) in 24 community languages.

9. How often are unannounced assessment contacts conducted?

The Commission takes a risk-based approach to monitoring the quality of care and services provided by a provider of a service. Monitoring arrangements, including the form and frequency of unannounced assessment contacts, are determined based on the nature of any non-compliance; the level of risk to consumers and what is known about the provider and the service.

For example, where assessed risk is rated as high or severe, the Commission will conduct more intensive monitoring through unannounced assessment contact with case management coordination.



10. What is the focus of unannounced assessment contacts?

Unannounced assessment contacts are undertaken for the purpose of assessing a provider's performance, in relation to the service, against the Quality Standards.

The focus is on known areas of risk, which may include:

- a single Quality Standard, or a number of requirements of one or more of the Quality Standards, generally with the highest rates of non-compliance across the sector
 - for assessment contacts (performance assessment) with an accredited service, the scope will be one or more evidence domain
- areas identified from previous assessments
- in areas identified in response to the risk-based questions and responses at the entry meeting.

For information regarding the risk-based questions that are the current focus of unannounced assessment contacts visit the [Commission website](#).

The Commission may undertake unannounced assessment contacts to residential services outside of business hours including weekends.

11. When is the scope of an assessment contact determined?

The scope of an assessment contact (performance assessment) is determined by the Commissioner prior to the assessment contact, based on regulatory intelligence or non-compliance identified during a previous assessment.

The provider is usually advised of the scope of announced assessment contacts.

The assessment team may change the scope of an assessment contact or select additional Standards to assess once the assessment contact has commenced. This may be a result of feedback obtained from consumers or their representatives, or from evidence that emerges that identifies requirements of the Quality Standards may be not met. The assessment team contacts the Commission prior to a change in scope to discuss the reasons for the change.



12. What is the Commission’s approach to conducting an assessment contact (performance assessment)?

The assessment methodology used by quality assessors when undertaking performance assessments against the Quality Standards, including assessment contacts (performance assessments), is described in the [Regulatory Bulletin Aged Care Quality Standards Performance Assessment Methodology](#).

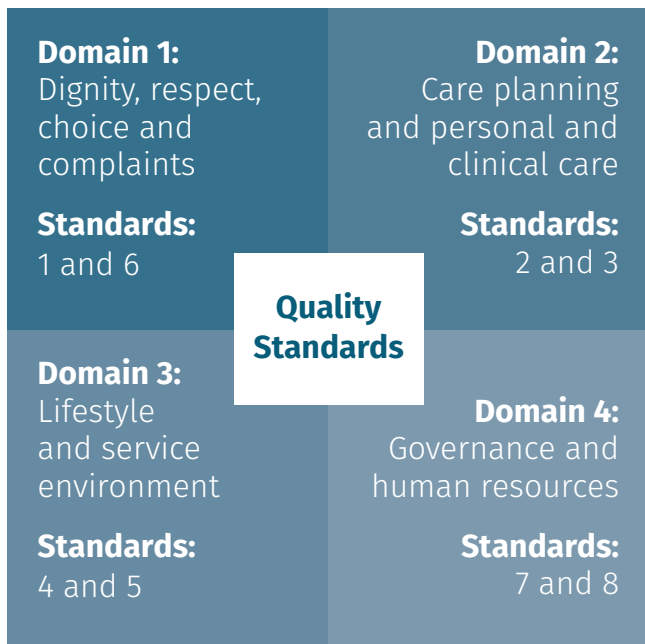
Evidence domains approach in residential services

The Quality Standards have been divided into four evidence domains for the purpose of collecting evidence during a performance assessment with a residential service, this include an assessment contact (performance assessment):

The way the assessment is conducted differs depending on the evidence domain. The domain will guide who is selected for interview, the questions asked, the observations made, the documents reviewed, which types of evidence are pursued and lines of enquiry. Different pieces of evidence will answer different questions under each domain.

The Assessment Team will structure the conduct of an assessment contact in a way that obtains sufficient evidence across the assessed Quality Standards. An assessment contact will include one or more of the four evidence domains.

The domains approach does not currently apply to performance assessments with home service.





13. What happens during an assessment contact (monitoring)?

The Commission may conduct an assessment contact (monitoring) to monitor the quality of care and services provided by the provider through a service. 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:

- attending a board meeting to discuss key issues relating to all the provider's residential and home services
- 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 information received by the Commission by a consumer of the provider's service.

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

14. What happens after an assessment contact?

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:

- understand the reasons, evidence and facts that the delegate is to rely on in identifying areas for improvement and in making a compliance decision
- 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).



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 Responding to non-compliance with the Aged Care Quality Standards](#) for further information.

The Commissioner may identify that there is a need for a review audit or a quality review of the service, if the Commissioner considers on reasonable grounds that the service is not complying with the Quality Standards.

15. When are Consumer Experience Interviews completed?

Structured consumer interviews (CEI) may be undertaken during an assessment contact conducted for the purpose of monitoring compliance. At residential services this is in the form of an unannounced site visit. For home services both phone and online options are provided to consumers who are notified of how they may contact the Commission to provide feedback on the quality of care and services being received. Where minimum sample sizes can be reached the results of the CEI are published on the Commission website for the service.

Consumers and members of the public may also contact the Commission at any time to raise a concern on **1800 951 822** or make a complaint by visiting the [Commission website](#).

16. What information about an assessment contact is made public?

The Commission is committed to making more information from regulatory activities available and will publish performance reports following assessment contacts (performance assessment) from 1 July 2020.

Under the Commission Rules, the Commission may consider making other performance information public including if it is in the public interest to do so.



Need to know more?

If you have any questions contact our policy helpdesk by email on:

regulatorypolicy@agedcarequality.gov.au

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Phone

1800 951 822



Web

agedcarequality.gov.au



Write

Aged Care Quality and Safety Commission
GPO Box 9819, In Your Capital City