



Regulatory Bulletin

Assessment contacts

RB 2020-09

The Aged Care Quality and Safety Commission (Commission) uses a range of regulatory tools to monitor compliance with provider responsibilities and detect possible non-compliance. Assessment contacts are an important part of the Commission's 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 when an assessment contact will occur, how it will be conducted and for what purpose.

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

Refer to the [Commission's glossary](#) for definitions of key terms.



Assessment contacts in residential and home services

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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 information about:

- targeted assessment contacts
- Commission actions after an assessment contact
- how the Commission will minimise infection risks to aged care consumers, residential staff and to our regulatory officials when entering a service
- publication of compliance information.

Definitions have been replaced by a link to the Commission's Glossary and URL links to webpage references have been included for accessibility. A number of other edits and formatting changes have been made.

To be reviewed:



Assessment contacts

Key points

- One of the Commission's regulatory functions under the *Aged Care Quality and Safety Commission Act 2018* (Commission Act) is to monitor the quality of care and services provided by aged care services to ensure the safety, health, wellbeing and quality of life of consumers. Monitoring may occur through assessment contacts.
- 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 regulatory activities used by the Commission to assess a provider's performance against the Aged Care Quality Standards (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 or without notice. They can be conducted by a regulatory official on site or remotely, or a combination of both.
- The focus of assessment contacts will vary in response to current and emerging risk and may be targeted at a specific issue or area of care which has come to the attention of the Commission.
- If actual or potential risk to the safety, health, wellbeing or quality of life of aged care consumers is identified during or after an assessment contact, the Commission will conduct a risk assessment to determine next steps. This may include escalation to a review audit or quality review of the service.
- Performance reports are only provided for assessment contacts where a provider's performance against the Quality Standards has been assessed; the reports are published on the Commission's website.
- The Commission has a range of regulatory response powers if an assessment contact identifies risk to the safety, health, wellbeing or quality of life of aged care consumers, including where a provider may not be complying with its responsibilities.
- The Commission has the power to take regulatory action(s) where appropriate to address non-compliance with provider responsibilities.
- Information obtained through assessment contacts gives the Commission valuable regulatory intelligence, informs risk profiling of services and enables trends in performance against the Quality Standards to be identified over time.
- Information obtained through assessment contacts may be used by the Commission in relation to its other functions.



Aged Care Quality and Safety Commission Act 2018

The Commissioner's regulatory functions under the Commission Act include monitoring the quality of care and services at aged care services in accordance with the Aged Care Quality and Safety Commission Rules 2018 (Commission Rules). This is achieved through requiring providers to have a plan for continuous improvement for aged care services; providing the Commission with authority to make assessment contacts with providers of aged care services; and to arrange review audits with accredited services in certain circumstances.

Aged Care Quality and Safety Commission Rules 2018

The 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.

Assessment contacts are made by regulatory officials. Regulatory official means the Commissioner; a delegate of the Commissioner; or registered quality assessors. For further information on quality assessor registration, refer to [RB 2020-10 Regulatory Bulletin on Quality Assessor Registration](#).

The Commission Rules include provisions:

- for informing aged care consumers and their nominated representatives about an assessment contact that involves a visit to the premises; this is done by displaying a poster in residential services and, for home services, using a form of words to communicate with consumers and their representatives
- that give regulatory officials the authority to request specified information or documents relating to the purpose of the assessment contact where the assessment contact does not involve a visit to the premises; a provider must comply with the request within a specified time period
- to report on and publish the outcomes of a performance assessment contact.

An assessment contact may be made with a provider in relation to a specific service or all its services. This means that the Commission may, through a single assessment contact, assess a provider's performance against the Quality Standards or monitor quality of care and services in relation to all their home services and/or residential services.

For example, the Commission may make a monitoring assessment contact with a provider for the purpose of understanding how they plan to provide safe, quality care at all their services in the event of an outbreak. The provider may be requested to give to the Commission outbreak management plans for each of their residential services.



Assessment contacts

The Commission uses two types of assessment contacts for different purposes, exercising different legislative powers. Performance assessment contacts are used to assess a provider's performance against the Quality Standards. Monitoring assessment contacts are used to monitor the quality of care and services provided by the provider.

Information obtained through performance and/or monitoring assessment contacts gives the Commission valuable regulatory intelligence, informs risk profiling of providers and enables trends in performance against the Quality Standards to be identified over time. Information obtained may also be used by the Commission in relation to its other functions.

Performance assessment contacts

Assessment contacts conducted for the purpose of assessing the provider's performance, in relation to the service, against the Quality Standards are referred to as **performance assessment contacts**.

Performance assessment contacts are undertaken by Assessment Teams; these teams consist of regulatory officials who are registered quality assessors.

The Commission may make a performance assessment contact:

- where information or regulatory intelligence about the service or provider identifies risk of harm to consumers or issues with the quality of care and services, for example, information from consumers or their representatives, complaints or serious incident notices under the Serious Incident Response Scheme
- to determine a provider's compliance with the Quality Standards, including whether necessary improvements have been made to ensure compliance with the Quality Standards
- as part of a regulatory campaign to address systemic risks prevalent at sector level.

The assessment methodology used by quality assessors when undertaking performance assessments, including the reporting requirements are described in [RB 2019-05 Regulatory Bulletin Aged Care Quality Standards Performance Assessment Methodology](#).

Following a performance assessment contact, **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 in relation to the assessment contact report and other relevant information or matters.



The performance report:

- includes a decision in relation to the provider's performance, being whether its service is compliant or non-compliant with each assessed requirement of the Quality Standards
- 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 provider will be given a copy of the performance report and the report is also published on the Commission's website.

In some cases, the Commission may identify that there is a need for further regulatory action during or following the assessment contact such as a full review audit or quality review. The Commission may also investigate a provider's compliance with its aged care responsibilities; this may include responsibilities in relation to incident management or the use of restrictive practices.

If the provider is not complying with the Quality Standards, the Commission has a range of regulatory response powers to address non-compliance.

Refer to [RB 2019-04 Regulatory Bulletin Responding to non-compliance with the Aged Care Quality Standards](#) for further information.

For more information on the Commission's approach to compliance and enforcement, including use of its regulatory powers, refer to the [Compliance and Enforcement Policy](#).

Monitoring assessment contacts

Assessment contacts conducted for the purpose of monitoring the quality of care and services provided by the provider through the service are referred to as **monitoring assessment contacts**.

The Commission may initiate a monitoring assessment contact if a previous performance assessment of the service has identified non-compliance with the Quality Standards, or if there is regulatory intelligence regarding a risk of harm to consumers at the service, or if there are known risks in the sector.

The Commission may make a monitoring assessment contact:

- to monitor progress with areas for improvement (identified during a previous performance assessment at a service) in relation to resolving issues associated with non-compliance with the Quality Standards or other provider responsibilities
- to obtain further information from a provider regarding information or regulatory intelligence received by the Commission about a service
- to gain a better understanding of the consumer experience of the care and services received at a service, through structured consumer interviews
- as part of a regulatory campaign to address systemic risks prevalent at a sector level
- with a previously accredited service 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.



Monitoring assessment contacts do not involve a performance assessment against the Quality Standards but may be used to gather information that informs whether a performance assessment is required or may lead to a performance assessment being completed.

For example, a quality assessor makes a monitoring assessment contact by attending a service to gather information in response to regulatory intelligence received by the Commission. The quality assessor makes observations at the service and speaks with the service management team and consumers. The quality assessor identifies issues and concerns regarding the quality of care and services, and following a discussion with the Commission, extends the purpose of the assessment contact to include a performance assessment against specific requirements of the Quality Standards.

A Monitoring Assessment Contact Record is usually developed following a monitoring assessment contact. This may be given to the provider of the service but is not published on the Commission website.

The Commission may use information gathered during monitoring assessment contacts to identify whether there are risks or concerns to the health, safety, well-being or quality of life of consumers and/or to communicate relevant resources and supports available to services.

If risks or concerns are identified, the Commission may conduct a defined scope performance assessment against specific and relevant requirements of the Quality Standards.

If a monitoring assessment contact raises a possible compliance issue or detects information that a provider may not be complying with its responsibilities, the Commission has a range of regulatory response powers. This may for example lead to a performance assessment being completed to determine whether there is indeed non-compliance.

How assessment contacts are made

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

- a visit to the premises of the service or the provider; this is a **site assessment contact**
- a phone call, video call or email contact with the provider of the service; this is a **non-site assessment contact**.



Site assessment contact

A **site assessment contact** may be made when information required by the Commission is best obtained through a visit to the service. For example:

- where a provider has given the Commission an Undertaking to Remedy, an Assessment Team of quality assessors attends the premises of a service to conduct a performance assessment contact so that the Commission can determine if the provider has implemented the actions to remedy the non-compliance
- a team of regulatory officials conduct a monitoring assessment contact at the premises of a service to monitor if the provider had taken all necessary steps to ensure that staff were trained and proficient in infection control practices and procedures, and were appropriately using personal protective equipment (infection prevention and control spot check)
- a regulatory official conducts a monitoring assessment contact by attending a management meeting to discuss a clinical governance framework relating to a number of services operated by the provider.

Non-site assessment contact

A **non-site assessment contact** may be made when information required by the Commission 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 regulatory official:

- conducts a monitoring assessment contact via a phone call to a provider to review progress against the plan for continuous improvement for their service

- contacts a provider to discuss the provider's awareness of 'best practice' guidance on infection prevention and control
- emails a provider and requests the provider to give specific information by completing an online survey for each of its services with a focus on the service's response to COVID-19 and potential impacts on the safety, health, wellbeing and quality of life of consumers
- is unable to attend the premises of the service due to COVID-19 restrictions; they conduct a performance assessment contact to assess the provider's performance with the Quality Standards in relation to the service, following intelligence received by the Commission.

An assessment contact may include a combination of site and non-site activities.

For example, as part of a monitoring assessment contact, a regulatory official may make observations of staff practices and the service environment by visiting the premises of a service. Following the site visit, they review documentation that was obtained on-site and interview staff by phone.



Notification of assessment contacts involving a site visit

Assessment contacts in the form of a site visit may be made with or without prior notice being given to the provider of a service.

Assessment contacts with notice

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

The amount of notice given will vary depending on the issues and assessment of risk by the Commission. Assessment contacts with prior notice may be made for a variety of reasons. For example, a visit to the premises of the service to monitor progress regarding areas for improvement identified in a previous performance assessment or to attend a provider's board or consumer meeting to discuss key issues identified about the quality of care and services.

Assessment contacts without notice

'Unannounced' assessment contacts are an important part of the Commission's monitoring activities. They are often undertaken as a performance assessment but can also be used when monitoring the quality of care and services. They are conducted without prior notice, written or otherwise, to the provider of the service.

Assessment contacts without prior notice provide increased assurance to the public that services comply with the Quality Standards at all times. They may be made for a variety of reasons such as:

- a visit to the premises of the service in response to information received by the Commission through complaints, a serious incident notice or referral information from other regulatory bodies
- a visit to the premises of the service in response to increasing non-compliance in other services operated by the provider
- by a phone call to providers to support a regulatory campaign to address systemic risks prevalent at a sector level, for example targeting the minimisation of infection-related risks
- via an email to a provider to request a plan for continuous improvement for their service.

As the Commission takes a proportionate risk-based approach to regulation, the focus of a site-based performance assessment conducted without prior notice is likely to be on known areas of risk, including:

- one or more requirements or Quality Standards; this may be relating to the highest rates of non-compliance across the sector, or issues or concerns identified at an individual service
- areas of non-compliance identified from previous performance assessments with the service
- areas identified in response to the risk-based questions and responses at the entry meeting.

For information regarding the risk-based questions that may be used at assessment contacts visit the [Commission website](#).



Targeted assessment contacts

Targeted assessment contacts have a focus on a specific topic or issue such as infection control, use of restrictive practice and pain management.

Targeted assessment contacts generally commence as a monitoring assessment contact to identify whether there are issues or concerns with quality of care and services or risks to consumers.

Where issues, concerns or risks are identified, the purpose of the assessment contact will then be to conduct a defined scope performance assessment against one or more specific and relevant requirements of the Quality Standards.

Frequently asked questions

1. How are assessment contacts different from site audits, review audits and quality audits?

Site audits and **review audits** involve an Assessment Team of quality assessors carrying out a comprehensive performance assessment of the quality of care and services provided through a residential aged care service against all of the Quality Standards.

Quality audits involve an Assessment Team carrying out a comprehensive performance assessment of the quality of care and services provided through a home service against the Quality Standards relevant to the individual service.

- A **site audit** is required to be conducted so that the Commission can assess the provider's performance against the Quality Standards in relation to the service and make an accreditation decision following receipt of an application for re-accreditation.
- A **review audit** may be conducted so that the Commission can assess the provider's 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 the provider's performance against the Quality Standards.

Assessment contacts differ from site audits, review audits and quality audits in that they have a defined scope, based on risk. This may be to assess a provider's performance against one or more of the Quality Standards, or requirements of the Quality Standards; or they are undertaken for other monitoring purposes.

2. When would a provider be given 'short notice' of an assessment contact?

There may be occasions where the Commission would normally make an assessment contact without notice, but due to possible risk factors a provider is given short notice of a visit to the premises of a service.

For example, to minimise infection related risks during the COVID-19 pandemic some providers are given a few hours' notice of a monitoring assessment contact to allow for a risk assessment to be undertaken prior to regulatory officials arriving on-site.



Where short notice is necessary, the Commission will contact the provider by phone to notify them of the proposed time of the assessment contact. A list of documents the regulatory official/s plan to review **may be** provided to enable the service to collate the required information. The intention is to minimise time on site and support an effective visit.

Assessment contacts may be rescheduled if it is considered that there is any risk to consumers, staff at the service or the regulatory officials.

3. How often are 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 assessment contacts, are determined based on the individual situation of the service, the risk profile of the service or provider and any regulatory intelligence available to the Commission.

For example, where assessed risk is rated as high or severe, the Commission will conduct more intensive monitoring of the service.

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

When arranging for an assessment contact, the Commission will determine the purpose(s) and scope of the assessment contact, the mode of contact such as through a site visit, meeting, phone call or email and the timeframe for completing the assessment contact.

4. What is the difference between the purpose and scope of an assessment contact?

The purpose of an assessment contact is to assess performance against the Quality Standards (performance assessment contact) and/or monitor the quality of care and services provided by aged care services (monitoring assessment contact).

Scope refers to what the Assessment Team is asked to look at during a performance assessment contact, for example, which requirements of the Quality Standards they need to assess.



5. When is the purpose and scope of an assessment contact determined?

The purpose and scope of an assessment contact are determined by the Commission prior to the assessment contact. This is likely to be based on regulatory intelligence, non-compliance identified during a previous assessment at the service or a particular sector risk or campaign.

The provider will be advised during the entry meeting about the purpose and the scope of a site unannounced assessment contact. For an announced assessment contacts and short noticed assessment contacts the provider is usually advised of the purpose and scope prior to the assessment contact.

The purpose of an assessment contact may be changed from monitoring to a performance assessment and/or the scope extended to include additional requirement/s of the Quality Standards, once the assessment contact has commenced. This may be a result of feedback obtained by the Assessment Team from consumers/ their representatives, service management and staff or from emerging evidence that indicates requirements of the Quality Standards may not be met.

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

The Commission may undertake assessment contacts at any time and for residential services, this may occur outside of business hours including weekends.

Announced assessment contacts are scheduled in consultation with the provider to arrange a date suitable for both parties. There may be some ability to change dates if required. For example, an alternative date may be agreed to if key members of a provider's management team will not be available to meet with regulatory officials on the proposed date; or there is a period of Sorry Business taking place at a service that needs to be respected.

Unannounced assessment contacts are conducted without prior notice, written or otherwise, to the provider of the service. However, providers of residential services are able to request that specific dates be excluded for assessment contacts planned to be made without prior notice. Refer to [RB 2019-03 Regulatory Bulletin on Exclusion of specific dates for unannounced visits](#) for more information on the Commission's policy about provider requests to exclude specific dates for regulatory activities.



7. What is the process for a provider granting consent for a regulatory official to enter the premises for an assessment contact?

Upon arrival at the service's premises, the regulatory official/s will provide their identification credentials and request consent to enter the premises and exercise search powers for the purpose of conducting the assessment contact.

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

Where the assessment contact involves a visit to the premises of a service and consent has been obtained to enter, the Commission Act empowers regulatory officials to request a person at the premises to answer any questions and produce requested documents.

For performance assessment contacts with accredited residential services, this may include 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 entry meeting to facilitate the visit to be undertaken in the most efficient manner.

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

For some assessment contacts the Commission may phone or email the provider a list of documents the regulatory official/s plan to review during the visit to enable the service to collate these documents. The documents are requested prior to the commencement of the assessment contact by the delegate in accordance with section 67 of the Commission Rules.

Under the Commission Rules, the Commission may request from a provider specified information or documents relating to an assessment contact where the contact does not include a visit to the premises of the service. This can be requested to be provided within a specified time frame under section 67 of the Commission Rules.

For example, the Commission may request via email that a provider submit self-assessment information or provide a copy of the service's plan for continuous improvement, for the purpose of monitoring the care and services provided by the provider. This requested information must be provided within the specific period stated in the request email.



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

If the assessment contact involves a visit to the premises of a service, the Commission may give the provider:

- a poster to inform consumers about the visit; accredited or previously accredited services must display the poster in one or more prominent locations within the service once received
- the form of words to be used to tell consumers about the visit; home service 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 languages.

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

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

The Commission publishes on the Commission website all performance reports following performance assessment contacts with residential and home services.

The Commission also publishes a central register of all provider non-compliance determined by the Commission.

For more information about the types of information the Commission publishes about provider performance refer to [RB 2020-11 Regulatory Bulletin on Publication of provider performance information](#).

Need to know more?

If you have any questions or feedback on this Bulletin, please send an email to: info@agedcarequality.gov.au.

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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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