



Regulatory Bulletin

Exclusion of specific dates for unannounced visits

Issue No. 2019–3.1 | Issue Date: 23 April 2019

This Regulatory Bulletin outlines the Commission’s policy regarding provider requests to exclude specific dates for an unannounced activity and includes criteria to guide approved providers when determining those dates.

Key points

- Providers may request that up to five specific dates per annum be excluded for an unannounced activity.
- The Commission will not ‘approve’ dates identified by providers.
- Providers are required to ensure that the excluded dates meet certain criteria as outlined in this Regulatory Bulletin.
- If required, the Commission may conduct an unannounced activity on an excluded date.



Unannounced site audits are conducted at residential aged care services following an application for re-accreditation. The Aged Care Quality and Safety Commission (Commission) may conduct other regulatory activities such as assessment contacts and review audits with no prior notice, written or otherwise, to the approved provider of a service. These ‘unannounced’ activities help ensure quality care standards are maintained at all services at all times.

There may be some dates where the conduct of an unannounced activity may have a greater impact on care recipients or where care recipient involvement in the activity may be limited. As a result, approved providers are able to request specific dates be excluded for an unannounced activity (excluded dates). Although the Commission does not guarantee visits will not occur on those days, the Commission will consider these dates in scheduling activities.

The information in the bulletin applies to approved providers of residential aged care services and flexible care services through which short-term restorative care is provided in a residential care setting.

Aged Care Quality and Safety Commission Rules 2018

The Aged Care Quality and Safety Commission Rules 2018 (Rules) do not require the Commission to notify an approved provider of the date(s) that a site audit will be conducted. In addition, under the Rules assessment contacts or a review audit with the approved provider of an accredited service may be made without notice.



Frequently asked questions

1. How many days are approved providers able to request be excluded from an unannounced activity?

Approved providers are able to request that up to five specific dates be excluded for an unannounced visit to a service. The five day limit applies to a calendar year.

Unless an approved provider requests a change to the excluded dates for a service, the dates will remain the same for future calendar years.

2. When determining excluded dates is there any criteria that must be met?

Approved providers should ensure that any excluded dates meet the following criteria:

- The dates are of significance to care recipients and if an unannounced activity was to proceed on that date, it would have a direct impact on care recipients
- The dates fall under one or more of these categories:
 - **Cultural:** The day has cultural significance to a large proportion of care recipients of the service.
 - **Religious:** The day has religious significance to a large proportion of care recipients of the service.
 - **Care recipient unavailability:** Care recipients are attending an event or function away from the service and this will limit care recipient participation in assessment team interviews during a visit on a particular date.
 - **Other regulatory:** Another regulatory authority has been scheduled an audit or visit to a service on a particular date.

3. What are examples of dates that would not meet the above criteria?

Examples of dates that would not meet the above criteria include:

- days where service personnel are attending a Commission workshop or training event
- dates where key personnel are taking annual leave
- cultural day with significance to personnel of the service but with limited significance to care recipients of the service.

4. What regulatory activities are covered by this Bulletin?

Excluded dates requested by providers may be considered by the Commission when scheduling unannounced site audits, review audits and assessment contacts.



5. How do approved providers notify the Commission of excluded dates?

Approved providers may notify the Commission of excluded dates when completing the application for re-accreditation. The application form includes a 'Dates considered not suitable' section where providers are able to list any excluded dates together with the reason on why the date is not suitable.

Approved providers are also able to advise the Regional Director of the relevant regional office of the identified excluded dates and the reasons at any time by sending an email to:

Adelaide:

sa_nt@agedcarequality.gov.au

Brisbane:

queensland@agedcarequality.gov.au

Melbourne:

vic_tas@agedcarequality.gov.au

Perth:

wa@agedcarequality.gov.au

Sydney:

nsw_act@agedcarequality.gov.au

Ensure that the email subject is 'ATT: REGIONAL DIRECTOR Excluded dates for unannounced activity'.

If there are any changes or additions to the excluded dates previously notified to the Commission, these should also be emailed to the Regional Director (refer to question 7 for further details on changes and additions).

6. Will the Commission provide approval for notified dates?

No. The Commission will not approve excluded dates that have been requested by approved providers. It is the responsibility of approved providers to ensure that the above criteria are met prior to submitting any dates.

If the Commission identifies a pattern or issues related to dates submitted by an approved provider, an assessment contact may be conducted via a phone call to the provider to discuss the dates and how they meet the criteria.

For example, the Commission may conduct an assessment contact where an approved provider identifies five excluded dates and all of the dates fall within the period following an application for re-accreditation and accreditation expiry.



7. Are approved providers able to change excluded dates or add additional dates?

Yes. Approved providers are able to amend future excluded dates. Approved providers may also add additional dates as long as the total dates are no more than five per calendar year per service.

For example, an approved provider has notified the Commission of the following excluded dates:

- 1 January
- 1 March
- 1 June
- 1 July

Following the initial notification the approved provider identifies 1 November as an additional excluded date in accordance with the criteria. As the provider has previously identified four days, they notify the Commission of the additional date.

Due to changes in the service, the approved provider would like to remove the 1 January and 1 March dates from the excluded dates. Instead, they would like to include 1 August and 1 December as excluded dates. The provider notifies the Commission of this change in September and the amendments are made for the following calendar years.

Approved providers are able to advise the Regional Director of the relevant regional office of any changes or additions to the excluded dates by sending an email to:

Adelaide:

sa_nt@agedcarequality.gov.au

Brisbane:

queensland@agedcarequality.gov.au

Melbourne:

vic_tas@agedcarequality.gov.au

Perth:

wa@agedcarequality.gov.au

Sydney:

nsw_act@agedcarequality.gov.au

Ensure that the email subject is 'ATT: REGIONAL DIRECTOR Changes to excluded dates for unannounced activity'.

8. Would the Commission conduct regulatory activities on notified excluded dates?

The Commission may conduct a regulatory activity at any time, including outside of business hours and on weekends, for example:

- where necessity for an activity arises due to regulatory intelligence about concerns regarding the quality of care and services
- where the Commission has concerns that the approved provider may not be complying with the standards
- notified 'dates considered not suitable' and reasons provided are noted by the Commission as being inconsistent with the criteria.

The Commission will not consider excluded dates in these circumstances.



9. Do these changes apply to home services?

The majority of visits to home services are 'announced' and the date of the visit is scheduled in consultation with the approved provider. The Aged Care Quality and Safety Commissioner (Commissioner) may organise a quality review site visit without written notice under the Rules if the Commissioner considers on reasonable grounds that the home service may not be complying with the applicable standards. The Commissioner may also make an assessment contact with a home service provider at any time and without notice. The Commission will consider whether the excluded dates policy will be extended to home services.

Need to know more?

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

Regulatorypolicy@agedcarequality.gov.au

Stay up to date with Regulatory Bulletin releases by subscribing to the Commission's newsletter, **Quality Standard**.



Phone

1800 951 822



Web

agedcarequality.gov.au



Write

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