

Working together for quality aged care

A report on the outcomes of a series
of aged care provider roundtables
held in May 2018

PUBLISHED JULY 2018



Australian Government
Australian Aged Care Quality Agency



Acknowledgements

Thanks to the many aged care providers from across Australia who participated in the roundtable discussions.

The provider roundtable initiative was overseen by a Steering Group and supported by a Working Group whose contributions were integral to the success of the project. Independent project management services were provided by Lista Consulting.

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The Hon Ken Wyatt AM, MP
Minister for Aged Care

Dear Minister

I was pleased to host a series of roundtable discussions with aged care residential and home care providers throughout May 2018.

This stakeholder engagement initiative was a partnership between the Australian Aged Care Quality Agency, Aged and Community Services Australia, Aged Care Guild and Leading Age Services Australia. The initiative followed concerns raised by the three peak organisations in a letter to you about current practices of the Australian Aged Care Quality Agency.

At the outset I challenged the roundtable participants to grasp the opportunity for robust discussions and I was delighted by their willingness to identify both challenges and solutions as our sector heads into a time of major transition and reform. I was struck by their consistent message that we are all in this together and are all striving to build public confidence in our world class aged care system.

Participants made the point that there won't always be agreement but if there is mutual respect and trust between the regulator and providers it sets the foundation for constructive conversations that build understanding on both sides and provides the basis to achieve better outcomes for consumers.

Since the roundtables and a webinar held with rural and regional providers, many participants have provided feedback to me that the process has been valuable in facilitating meaningful engagement on important issues impacting on our sector.

I agreed to provide you with a full report on the outcomes of the roundtable discussions. The attached report, which has been developed collaboratively by the Agency and the peaks, aims to capture the richness and diversity of the

ideas generated against each of the five key issues discussed. It uses the words of providers to report directly to you.

The report also summarises the results of a provider survey which was jointly developed with the peaks and distributed during the planning for the roundtables. The survey generated responses from 396 residential and home care providers and the results were used to inform the issues to be discussed at the roundtables and webinar.

The report makes four key findings and recommendations for your consideration. I believe the roundtable process has established the foundation for a new relationship between the regulator and providers as we move into implementation of the new standards and establishment of the new Aged Care Quality and Safety Commission. Implementation of the recommendations will enable providers to see concrete outcomes flowing from the discussions and will continue to build trust and greater understanding of the risk-based regulatory approach.

I want to acknowledge and thank Aged and Community Services Australia, Aged Care Guild and Leading Age Services Australia for raising the concerns on behalf of their members and for working in partnership with us to develop and implement this successful engagement with providers. It has been a privilege to chair the sessions. I also want to place on record my sincere thanks to the participants for their attendance and contribution.

I commend the report to you.



Andrea Coote
Chair, Aged Care Quality Advisory Council



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Executive summary

How did the roundtables come about?

The independent chair of the Aged Care Quality Advisory Council, Ms Andrea Coote, hosted a series of roundtables with providers throughout May 2018.

This stakeholder engagement initiative was a partnership between the Australian Aged Care Quality Agency and Aged and Community Services Australia (ACSA), Aged Care Guild (the Guild) and Leading Age Services Australia (LASA). The initiative followed concerns raised by the three peak organisations about current practices of the Australian Aged Care Quality Agency.

What was the approach?

In planning the roundtables the parties agreed to undertake a survey of providers to inform the issues to be discussed at the roundtables. The survey was completed by 396 member representatives of the three peak organisations across residential and home care providers.

A discussion paper was then developed for roundtable participants which drew on the results of the survey and introduced five key issues and questions for discussion.

The key issues were:

- the Agency's risk-based approach
- consistency of application of the standards and of approach
- complaints about the Agency's practices and services
- communications and information
- future reforms – looking forward.

How were the roundtables conducted?

Roundtables were held in Adelaide, Perth, Hobart, Melbourne, Brisbane and Sydney and a webinar was conducted which targeted rural and regional providers. The roundtables were conducted over a period of three hours and the webinar for one and a half hours.

There were a total of 118 participants at the roundtables and webinar. Participants of the roundtables were selected by the three peak organisations and personally invited to participate.

All roundtables and the webinar were hosted by Ms Andrea Coote as independent chair of the Aged Care Quality Advisory Council. An independent consultant supported Ms Coote in hosting the roundtables together with a senior member of staff from the Agency. Mr Nick Ryan, CEO of the Agency participated in two of the roundtables. Representatives of the three peak organisations also participated in some of the roundtables.

What did we learn through the process?

Participants engaged in vigorous discussion, demonstrating openness and transparency and a willingness to share their ideas about potential solutions. The discussions laid the basis for establishing an improved relationship between providers and the regulator going forward.

Many participants provided feedback that the process was highly valuable in facilitating meaningful engagement on important issues impacting on our aged care sector. While there were differences across the roundtables and webinar in the issues and solutions discussed, there were consistent messages and themes that emerged.

What were some of the common themes?

Some of the common themes across the roundtables and webinar included:

- we all want the system to work and to build public confidence in our aged care system
- we won't always agree but need to establish a positive working relationship with greater mutual understanding and respect between the regulator and providers
- a positive working relationship will drive better outcomes for consumers
- the regulator, like providers, needs to be accountable for its actions and clearer about its expectations of providers
- providers expect transparency in decision making and consistency in how the standards are interpreted
- an effective and transparent complaints process that is used to improve regulatory practices will help build greater trust between the regulator and providers
- there is concern about the impact of current environment on staff – burn out and stress
- media scrutiny and negative stories are dispiriting and contribute to fear and risk aversion on both the regulator and provider sides
- timely information about compliance trends and proactive communication about changes to the regulatory approach will help providers understand and manage risks
- more acknowledgement of good practice and positive messaging about our world class aged care sector is needed to balance the negative stories

- accurate messaging that drives better understanding and expectations of aged care and ageing generally is also important and is a shared responsibility
- there are opportunities to be grasped now, going into a new world, where we can come together to build skills and shift culture
- moving forward, we need to demonstrate best practice by regularly engaging with and responding to feedback from the sector.

Building trust is the key.

The whole industry benefits from a well-respected regulator.

What we want is findings made on fact not opinions.

The only way we'll get better is to all get better together.

In rural, regional and remote areas it is important that we have access to the same information as people in capital cities.

Quotes from Aged Care Provider Roundtables, May 2018

Key findings and recommendations

The roundtables were conducted at a time when the aged care sector is in the process of significant reform. There was evidence that providers feel under pressure and are seeking to better understand current and future regulatory reforms.

The roundtables provided valuable learnings to inform both current regulatory practices and future arrangements under the Aged Care Quality and Safety Commission from 1 January 2019. The process highlighted the importance of maintaining dialogue at the most senior levels between the Agency, the provider peak organisations and providers.

The process will also inform strategies for positive engagement in the future with other stakeholders, including consumers.

The following key findings and recommendations are jointly endorsed by the Australian Aged Care Quality Agency and the three provider peak organisations, ACSA, the Guild and LASA.

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- 1 The provider roundtable initiative has set the foundation for a new relationship between the regulator and providers based on mutual respect, trust and improved communication.

It is recommended that in conjunction with other engagement and consultative forums, roundtable conversations directly with providers continue on an annual basis, in collaboration with the peak organisations, as a mechanism to inform improvements in regulator practice and provider compliance. Consideration should also be given to hosting roundtable discussions with consumers and other stakeholders on specific issues.

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- 2 Providers expressed a desire for more regular and timely information on regulatory trends and risks that can inform their understanding of the risk based regulatory model and support continuous improvement of their services.

To increase transparency and support providers' continuous improvement, it is recommended that the Agency publish quarterly analysis of regulatory trends including key areas of risk and learnings from non-compliance and best practice.

- 3 While the survey results were in the main positive, the roundtables have reinforced the value of regular and meaningful feedback as a mechanism to hear directly from providers about the impact of the regulatory regime and their suggestions on opportunities for improvement.

It is recommended that feedback and suggestions proposed by providers at the roundtables be considered by the Agency, in collaboration with the Quality Agency Liaison Group, in improving current and future regulatory processes, and that the Agency advise the sector as changes are implemented. Priority should be given to considering feedback in relation to those areas of practice where the survey and roundtables found the highest levels of concern.

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- 4 It is recommended that this report be released to the sector to demonstrate the commitment to achieving greater transparency and trust from the roundtable process and to share the learnings from this process more widely.

Key issues discussed at the roundtables

The roundtables discussed five key issues which were informed by the concerns raised by the three peak organisations and a provider survey conducted during the planning of the roundtables.

There were 396 responses to the survey across both residential and home care providers, all states and territories and metropolitan, regional and rural areas.

The survey included multiple choice questions and a number of free text questions to enable providers to elaborate on their responses and many providers took up this opportunity.

The survey results and responses provided a range of feedback that affirmed current practice but also offered feedback that identified opportunities for improvement. There were some survey results where dissatisfaction levels exceeded 15%.

These are areas where the Agency could prioritise efforts to improve, drawing upon suggestions made by roundtable participants.

The full survey results are at the Appendix.

This report:

- outlines each issue
- summarises key messages from the roundtable discussions
- outlines what participants told us and their suggestions about potential improvements
- provides an overview of the survey results that were used to inform the issues for discussion.



Image above: Participants from the Aged Care Provider Roundtable in Sydney, 31 May 2018

1. The Agency's risk-based approach

The Agency is strengthening its approach to risk as a key strategy in its management of quality and safety. Participants were provided with the Agency's recently published paper '*The way we manage quality and safety*' which outlines the key features of its risk-based approach.

Participants were asked '*What actions would help to build understanding of the Agency's risk-based approach and trust in its decision-making?*'

Overview

- There were a large number of questions about what the risk-based approach means in practice and how that will impact on providers' experience of assessment teams' visits.
- Many participants said they feel the assessors' approach has become more aggressive and punitive.
- Providers want to understand what the Agency's expectations are of them.

The Agency's expectations are unclear. Providers don't understand what risk is, as the Agency applies it and different assessors have different interpretations of risk.

It feels like they are managing the risk to the Agency. Oakden has had a disproportionate impact on the risk-based approach – we are seeing an 'outrage bubble' and it is driving a one size fits all approach by the Agency.

- Providers want to know how the risk-based approach applies in home care versus residential care and how the Agency assesses level of risk.
- Providers want to know more about the new risk profiling announced recently and how it will be used.
- Dignity of risk and consumer choice and how these fit into the risk-based framework were raised frequently.
- There were many questions about unannounced visits and Consumer Experience Reports (CERs) and how they fit into the overall assessment process.

Key suggestions made by participants included:

- more proactive communication in advance of the Agency changing its approach so providers know what to expect.
- provision of more detailed information about how CERs are used with examples to increase transparency and understanding.
- regular reporting by the Agency of data on compliance trends and risks to help providers understand and manage risks.

We support the consumer experience reports but they should not have greater weight in the assessment process than other evidence. Is triangulation still a part of the assessment process?

Quotes from Aged Care Provider Roundtables, May 2018

In the providers' words – the Agency's risk-based approach

What providers told us

We need a common understanding of risk and a better understanding of current systemic risks so providers can self-manage these risks.

How does the agency assess the level of risk in a provider – what does high or low risk mean?

How does the risk-based approach apply in the home care versus residential care sectors? Does it look different? Are the assessors different/given different training?

Consumer choice in home care is changing behaviours and risks in sector – this needs to be considered by regulator.

It is important not to isolate residential care and home care from the risks and opportunities of living life generally.

Dignity of risk – how do we recognise this within a risk-based approach?

Shifts in approach:

- It feels like the goal posts have changed.
- It feels like surveyors assume you are guilty and are determined to find a problem.
- Before it was innocent until proven guilty – now it feels like guilty until proven innocent.

Unannounced visits:

- Staff feel under stress during an audit and stressed about unannounced visits.
- In small organisations the single quality person might be on leave and this needs to be recognised.
- We don't understand what triggers an unannounced visit and why some providers have up to three visits a year.
- Why can't the Agency tell providers why they are conducting an unannounced visit if it's in response to a complaint?

Consumer Experience Reports/consumer input

- Support customer interviews but don't have any right of reply – this feels unfair given they are published on the website for everyone to see.
- Need more recognition of the nuances that influence the interviews, for example media reports.
- How will consumers be involved in unannounced visits for home care services in rural, regional, remote areas?
- Why are some consumers interviewed even when the provider has indicated they didn't want to participate? – it feels like lack of trust.
- Can the Agency accept phone calls from family after the visit and utilise that information without our chance to have a right of reply?
- Approach to CERs not seen as balanced – not seen as an input that is validated/tested with other evidence.

What providers suggested

More information and engagement with providers about the new Budget measure on risk ratings.

Consider more regular regulatory bulletins:

- In advance of implementation of changes to approaches or practices
 - Defining key elements of the risk-based model
 - Covering information about the risk-based approach in home care and residential care sectors
 - Giving updates on current systemic risks and regulatory trends
 - Providing examples of what high and low risk looks like.
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Further develop *The way we manage quality and safety* paper to include examples.

Consider annually sharing with the individual providers the intelligence and information held about them to help drive continuous improvement in the provider's practices and build greater transparency and trust.

Meet on a regular basis with each provider (separate to assessment visits) to get a briefing on corporate strategy and directions help the Agency understand how providers are approaching their risk assessment and what their business model is.

Or use the self-assessment as a tool to achieve this through inclusion of a one-page organisational profile.

Provide a clear explanation of unannounced visits including the purpose and frequency and how these relate to other audit activities — more transparency will build trust and understanding and enable providers to benefit more from learnings from complaints.

Provide clear information about how CERs work in practice, how they fit together with other elements of the audit process and how they will work in rural, regional and remote locations and in home care.

What the survey results said about the Agency's risk-based approach

The survey found that providers are keen to understand more about the Agency's risk-based regulatory approach.

It was nominated as the highest priority topic about which they are seeking more information. A summary of the survey results is outlined in the Appendix.

The survey sought specific feedback about three aspects of the Agency's regulatory decisions and approach:

- how well the Agency explains its decisions about compliance with the standards
- how confident respondents are that the Agency's decisions about compliance are fair and reasonable
- how satisfied respondents are that the CERs provide valuable input to the assessment process.

Respondents could also opt to provide free text comments in relation to CERs if they wished.

In relation to how well the Agency explained the reasons for its decisions, almost 50 per cent responded 'very well' and 40 per cent said 'moderately well'.

In relation to the level of confidence in the Agency's decisions about compliance being fair and reasonable, approximately 36 per cent said they were 'very confident', 46 per cent said they were 'moderately confident' and almost 18 per cent are not confident at all.

The free text responses provide insights about the diverse views on what is perceived to be shifts in the Agency's regulatory approach and varied levels of understanding about what is driving the approach. Some comments observed that the

Agency has taken a more positive approach in recent times and others expressed the view that the Agency's engagement has shifted to a more punitive or negative focus. There are some who perceive the changed approach as a response to the Oakden events.

Some comments refer to anecdotal evidence about an increase in the number of 'un-mets' which are being identified by assessors. While there may be many factors contributing to an increase in 'un-met' findings, including the implementation of the risk-based approach which aims to focus on and respond to higher levels of risk, some comments are attributing this to what is frequently described in the comments as a more 'aggressive approach'.

In relation to the level of satisfaction that the CERs

There is a concerning increase: Finding Not Met outcomes with intense forensic and focused scrutiny.

The assessors tend to take the consumer comments at face value, there is no triangulation that is a feature of mature accreditation systems.

I am a very big supporter of the consumer experience reports. However they should be viewed as input, not create the overall decisions.

Quotes from Aged Care Provider Survey, March and April 2018

provide valuable input to the assessment process, 51 per cent of the 316 respondents said they were satisfied or very satisfied about the value of the reports. 21 per cent said they were either dissatisfied or very dissatisfied with the value of the CERs.

The free text responses showed that those who have concerns are seeking more information about design, validity and use.

Recurrent themes included:

- queries about the validity of the design/questions
- validity when used with residents who have cognitive impairment/dementia
- focus on negative or leading questions
- inconsistency of approach across assessors, teams and states
- whether assessors are sufficiently skilled in administering the interviews
- subjective nature of the instrument
- perception that they are being used in an unbalanced way rather than as one input to the assessment process
- whether the inputs are triangulated sufficiently with other data to provide a balanced picture.

2. Consistency of application of the standards and of approach

One of the biggest challenges for any regulator is how to ensure consistency in its regulatory approach including staff being supported to be consistent in their interpretation and assessment of the standards.

A consistent approach means service providers are clear on what is expected in order to achieve compliance and consumers are clear about the standards of service they can expect. In the context of the transition to new standards there is heightened imperative to focus on strategies to achieve consistency in practice and approach.

Participants were asked *‘What can the Agency do to support achievement of greater consistency in application of the standards and approaches?’*

Overview

- Many providers confirmed they experienced inconsistency across assessment teams including:
 - conduct and approach
 - capabilities
 - across team leaders
 - across types of audit activities
 - across states, based on variations in data about numbers of ‘un-mets’
 - across residential care and home care
 - evidence required to demonstrate compliance and expectations
 - level of understanding of providers’ different business models.

- There were examples given at different roundtables of two assessors debating and disagreeing with each other at the summative meeting.
- Many participants also acknowledged the challenges inherent in achieving consistency and noted the stress on assessors regarding the amount of information that needs to be collected and recorded on site.
- Suggestions were made about the capabilities and tools needed and strategies to moderate findings.
- There were mixed views about whether inclusion of an interstate assessor in teams would assist in achieving greater consistency. Some value the external view particularly in small states but others believe there are too many state-specific regulations requiring local knowledge and that the capabilities of the team are more important than whether they are internal or external to the state.

Consistency is so important for us. If one assessor says all is fine and another says it's not, it's very difficult.

What we want is findings made on fact not opinions and the same decision made on the same piece of evidence.

What we want is transparency of decision making and consistency of interpretation.

Our processes should be our own. Judge us on outcomes for residents.

Quotes from Aged Care Provider Roundtables, May 2018

In the providers' words – consistency of application of the standards and of approach

What providers told us

Conduct, approach and capability issues:

- Some are dictatorial while others give suggestions or ask respectful questions.
- Some have strong opinions about what's right and what best practice looks like but their knowledge may be out of date and they have limited experience,
- Some have an interest in a particular clinical area and pursue that interest in audits rather than taking a holistic approach.
- Some assessors have no clinical background and yet are making findings on clinical matters.
- Sometimes there is an aggressive approach.
- Some are looking for evidence of non-compliance versus compliance.

Evidence issues:

- Findings being made on the basis of opinion.
 - There is an excessive focus on staffing levels and mix, post Oakden.
 - Need to take account of multi-site organisations to avoid duplication of evidence at audit, for example, governance.
 - We had two assessors debating and disagreeing with each other at the meeting, one with a clinical background and one without.
 - We know there are differences in numbers of un-mets across states that needs to be examined to determine reasons. It suggests there is inconsistency in approaches.
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What providers suggested

The capabilities needed by assessors

- Recent and relevant industry experience and knowledge (including clinical experience and knowledge)
- Emotional intelligence and good communication skills
- A level of digital literacy – assessors unwilling to engage with our IT systems make it difficult, wanting everything printed out.
- Understanding of the dignity of risk issue
- Understanding context – providers have different business models.

All capabilities might be difficult to achieve in one person but the Agency can look at building assessor teams with the right skills mix.

Clarify and articulate the role of the team leader and build their capability. Their leadership skills have a big impact on team dynamics and interactions.

The Agency could be more transparent about assessors:

- Advise on the skill base that is sought and the minimum training requirements – this will help to build confidence in them.
- Provide a profile of the assessors prior to the visit so providers understand their background.
- Tell us about what standards of behaviour they are required to meet.

Assessors need good tools for implementation of the risk-based approach, to facilitate moderation and to drive consistency:

- The current audit report could be reviewed to streamline and reduce information that is not necessary or that could be collected in advance/ pre-loaded which would allow more time to be spent on site with consumers and staff. Some information duplicates what is in the self-assessment.

Conduct an audit of assessment outcomes by the Agency on regular basis to support greater consistency.

What the survey results said about consistency of application of the standards and approach

The survey asked about providers' level of satisfaction with the consistency of practice of the Agency's assessment teams. Questions sought feedback about consistent application of the standards between different teams, consistency over time and consistency in different states and territories, for those providers with services in more than one state.

The survey also asked seven questions about the assessment teams' approach and interactions during visits based on key skills and knowledge required including:

- clarity of communications
- level of objectivity in assessing performance
- how well organised the team was in conducting the activity
- the depth of knowledge and understanding of aged care and application of the standards
- professionalism, respect and courtesy demonstrated by the team
- responsiveness to provider questions
- interactions with staff, residents, family members and other stakeholders.

In relation to consistent application of the standards between teams almost 50 per cent or 161 respondents were either satisfied or very satisfied with consistency of practice.

52 per cent of respondents were either satisfied or very satisfied about consistent application of the standards over time. In relation to consistent

application of the standards across different states and territories, 135 of 396 respondents skipped this question and 159 (61 per cent) gave a neutral response, which may indicate a lack of multi-state experience. Of those who responded, 25 per cent were either satisfied or very satisfied with the consistency.

The survey results and free text comments also suggested areas for improvement in consistency of approaches and practice. In relation to consistency between teams, 32 per cent or 105 respondents were either dissatisfied (89) or very dissatisfied (16). In relation to consistent application of the standards over time, 28 per cent were either dissatisfied or very dissatisfied.

Across the seven questions about the assessment team's approach and interactions during the visit, those who were either satisfied or very satisfied hovered around the 75 per cent mark. Several free text responses to questions provided positive feedback about experiences.

While those who were dissatisfied or very dissatisfied about the assessment team's interactions and approach hovered at around 10 per cent for most of the seven questions, those who were dissatisfied or very dissatisfied in relation to the assessment team's level of objectivity sat at almost 19 per cent.

Those who were dissatisfied with performance commented on what they saw as deficiencies in skills of assessors and the approach taken, with the most common comments relating to poor communication, subjective, judgemental, punitive or negative approaches and poor knowledge or understanding of the business.

Some comments referred to the need for high level capability required by assessors. Some linked the issues of inconsistency and capability and other comments focused on the interpersonal skills they saw as critical to maintain respectful and professional communication throughout interactions which can be challenging.

The detailed survey results in relation to the questions about assessment team's approach are on pages 3 and 4 of the Appendix.

“Expectations of different assessors vary noticeably. What was acceptable one visit is found to be unsatisfactory the next visit.”

“This group was professional and clearly expressed requirements/ expectations with a good clinical base of knowledge.”

“One of the assessors was great to work with - had sound understanding of the industry and the challenges faced in a rural area. The second assessor however was rude, difficult to work with and had a very negative attitude. Clients and staff were left feeling interrogated, rushed and judged.”

Quotes from Aged Care Provider Survey, March and April 2018

3. Complaints about the Agency's practices and services

A transparent, accessible and effective complaints process provides organisations with valuable feedback to improve services and practices.

The Agency's complaints policy states that it is:

committed to resolving complaints about its practices and services fairly, efficiently and effectively. We apply the principles of natural justice and procedural fairness in investigating and responding to complaints.¹

The peak organisations provided feedback that many of their members are apprehensive about lodging a complaint about the Agency's practices and services due to fear of repercussions so both the survey and the roundtable discussions sought to test providers' level of confidence in the complaints process and willingness to use it if required.

Participants were asked 'What strategies could be considered to build trust in the Agency's practices and approaches?'

¹ Aged Care Quality Agency Complaints Policy

Overview

- The fear of retribution is real although, reflecting the survey outcomes, was not consistent across the country.
- The Agency's complaint process is not seen as transparent or best practice. There were several examples of complaints being unacknowledged or not being responded to for several months.
- However there were also several comments that good relationships with State Directors has helped in dealing informally with complaints.
- The key word used was 'respect' – the Agency should be held to the same standard in its complaints process as providers are required to meet.
- There was broad support for the suggestions in the discussion paper to establish a complaints process based on good practice.
- An effective complaints process will help to build trust between the Agency and providers.

Building trust is the key: What is trust? It's built on consistency of experience and reliability of result. It's built on a mutually beneficial relationship. Our complaining helps you build a better service and us to get better outcomes.

Proximity is your friend with complaints – bad news doesn't get better with age.

Quotes from Aged Care Provider Roundtables, May 2018

In the providers' words – complaints about the Agency's practices and services

What providers told us

In the past I've gone to the Agency informally about an assessor rather than lodging a formal complaint and that has worked well.

We put in a complaint once and never heard back.

I'm not afraid to complain but on the last two occasions I've waited four months for a response and had to chase it up which is disrespectful.

We have used the post audit feedback form to complain about process or conduct but we won't give honest feedback on the form before an audit report is finalised for fear of retribution.

What providers suggested

Establish good practice in complaints management and make the Agency accountable for good practice as we are:

- Include timeframes for response and resolution
- Ensure transparent, arms-length processing
- Ensure staff are trained in good practice complaints management
- Publish an overview of complaints and their outcomes in driving continuous improvement.

Issue the post audit form after the results are finalised.

Be clearer about the purpose of the post audit forms – they are about the experience of the audit visit and consider other ways to capture general feedback about improvements in approaches and practice, for example, via an annual survey by an external body or the use of an online moderated feedback tool such as 'Care Opinion' which is being used by the Guild.

Increase transparency and value of the information collected in the post audit forms by publishing a regular analysis of them. This will also help the Agency to identify improvements to its practices.

Consider doing a consumer journey map re making a complaint to the Agency to help identify improvements.

What the survey results said about complaints about the Agency's practices and services

Providers were asked four questions about the Agency's complaints processes:

- if they knew how to make a complaint
- how likely they would be to lodge a complaint if they had concerns
- how confident they are that a complaint would be dealt with fairly, efficiently and effectively
- how confident they are that they could make a complaint without fear of retribution or detriment.

A free text question also offered the opportunity to provide further details.

Almost 89 per cent of 318 respondents know how to make a complaint about the Agency's practices and services and 61 per cent (193 respondents) said they would be likely or extremely likely to lodge a complaint if they had a concern. 46.5 per cent said they were confident that a complaint would be dealt with fairly, efficiently and effectively and 45 per cent of respondents said they were confident that they could make a complaint without fear of detriment or retribution. The detailed results can be found on page 6 of the Appendix.

Providers need to provide feedback so that expected levels of accountability from all sides is upheld.

I'm not entirely sure that if I did lodge a complaint it would not lead to being judged in a harsher manner on the next visit.

The large number of free text responses (163) in answer to the question about why the respondent might or might not consider lodging a complaint shows the level of interest in this topic. Some comments were based on previous positive experience in achieving an outcome by lodging a complaint and others simply stated a commitment to using an effective complaints process as a necessary way to improve services.

26 per cent (83 respondents) said they were unlikely or extremely unlikely to lodge a complaint if they had a concern. 20 per cent disagreed or strongly disagreed with the statement that they were confident that a complaint to the Agency would be dealt with fairly, efficiently and effectively.

25 per cent of 318 respondents said they either disagreed or strongly disagreed with the statement that they are confident they can make a complaint to the Agency without fear of retribution or detriment (see page 6 of the Appendix).

A number of free text responses referred to either negative past experience or lack of trust that the process would be fair, timely and free of retribution. Key themes included:

- poor response time or no response at all in the past
- negative past experiences
- fear of retribution/repercussions for the provider
- a view that the process is not independent/impartial and there is lack of procedural fairness
- the process is cumbersome and time consuming.

I have made complaints in the past when I have been dissatisfied with performance by team members or have disagreed with a decision. The complaints have always been handled promptly and thoroughly.

Quotes from Aged Care Provider Survey, March and April 2018

4. The Agency's communications and information

Information about the Agency and its practices and services is made available through multiple platforms including its website, email communications, a monthly e-newsletter, and Regulatory Bulletins.

Clear well-targeted information that meets audience needs gains elevated importance in the context of the reforms occurring in the aged care sector. In a time of rapid change providers need access to timely and relevant information that supports the change process.

Participants were asked *'What improvements can the Agency make to how and when it provides information to the sector to ensure it best meets providers' needs?'*

Overview

- Providers want timely advice, targeted to different audiences including staff, consumers and families. In the current media environment residents, families and staff are anxious and needing accessible information about what is happening.
- Good proactive communication and information in advance of changes to regulatory approaches will stop the Chinese whispers that occur when there is a communication vacuum.
- Good communication is even more important in an environment of change and reform.

In rural regional remote areas it is important that we have access to the same information as people in capital cities.....on-line and webinar sessions very useful.

I, and the staff who work in our organisation love webinars as to travel to some of the sessions we would need to allow much more travel/out of office time than our metro peers. Great option!"

Quotes from Aged Care Provider Roundtables, May 2018

In the providers' words – the Agency's communications and information

What providers told us

We need information about:

- trends and areas of risk
- good practice but also examples where providers have learnt from poor practice.

Information in different formats is important, both digital and hard copy to reach a variety of audiences.

The Agency's on-site training for providers and State Directors' presentations to peak bodies advisory groups are really positive.

Continue both face to face and webinar opportunities.

Procedural issues of communication with providers:

- Correspondence from the Agency is not always timely and sometimes causes confusion, for example, sometimes contact comes from multiple persons who ask us to tell the story again or provide inconsistent information.
 - Information is sometimes wrong or out of date eg the Agency contacted us about a service that has never been offered by the organisation.
 - Multiple changes to the audit team and scheduling of the audit two days beforehand is not acceptable.
-

What providers suggested

The Agency could share trend information in a quarterly publication to drive informed conversations:

- identified state by state – explain what different data across states might mean.
- in compliances and non-compliances – data that identifies hot issues from on the ground.

Make case studies realistic and look at examples of good communication from other industries:

- Air Services Australia has a great online magazine which gives exemplars of best practice and learning from safety failures.
- Victorian coroner's reports are a good example of short succinct stories that can be used as a learning tool.

Provide information about what will happen at assessment visits, what information might be asked for, in:

- Plain English fact sheets
- Podcasts and videos
- Flyers for staff and resident notice boards
- On-line learning materials for staff.

Provide information for consumers about what the CERS are – what questions they might be asked, how the information is used.

Provide opportunities for more conversations like this – could talk about the top five risk areas and identify both concerns and opportunities.

Establish a single point of contact within the Agency and a portal to enable providers to keep their information up to date.

What the survey results said about the Agency's communications and information

The survey asked providers to rate the level and usefulness of the information provided by the Agency. A free text question also asked what could improve the usefulness of the information provided.

Respondents were invited to rate the priority of the topics they would like the Agency to provide further information about.

In relation to the level and usefulness of the information provided by the Agency, 84 per cent rated the information as excellent, very good or good. 5.5 per cent rated the information as poor. Detailed results are at page 7 of the Appendix.

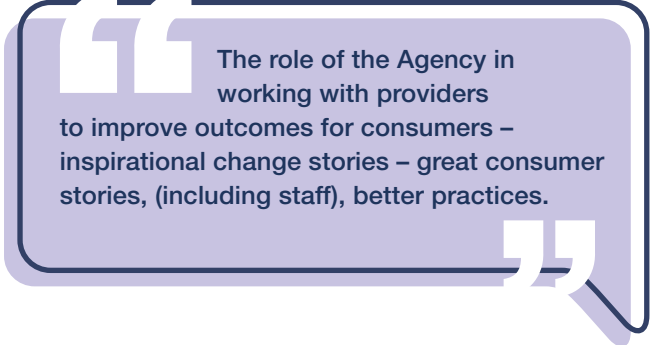
In addition, 71 respondents provided free text responses about how the usefulness of information could be improved.

The highest priority topics about which providers are seeking further information are:

- key details of the Agency's risk-based regulatory approach
- the approach to risk-based compliance monitoring
- future reforms to the sector.

Feedback suggests that providers are seeking more:

- focus groups, workshops, face to face opportunities and industry forums offering opportunities for collaboration and discussion
- webinars
- in-house training
- online and self-directed education
- real life case studies
- advice tailored to different audiences such as small, stand-alone providers.



The role of the Agency in working with providers to improve outcomes for consumers – inspirational change stories – great consumer stories, (including staff), better practices.

Quotes from Aged Care Provider Survey, March and April 2018

Feedback also suggested there is a need for information that focuses on:

- the new Standards, transition process, and implementation
- the Agency's risk-based approach and how providers can be supported through the changes
- trends on issues being picked up in accreditation audits and examples of evidence indicating how providers are and are not meeting the standards
- examples of good and poor practices and of innovations/new initiatives
- the new unannounced visits and how they will work, including for different providers such as small ones
- assessment of practice
- inspiring and promoting change, sharing better practice for consumers and learning from each other.

There were a number of comments that indicate providers are seeking more timely advice about upcoming changes as well as information that is targeted to different audiences including those with varying levels of experience and those in different size and type of providers such as home and residential care.

5. Future reforms – looking forward

The roundtable discussions occurred at a time of significant change for the aged care sector with the transition to the new Aged Care Quality Standards and establishment of the new Aged Care Quality and Safety Commission.

Participants were asked *‘How can the Agency best support providers in preparing for the future reforms?’*

Overview

- Roundtable discussions confirmed that providers are highly aware of the need to plan for transition to the new Aged Care Quality Standards. They want to understand what they need to do to prepare and what the impact will be on their services.
- There were a lot of questions about what the move to unannounced reaccreditation audits will look like and how they will work.
- There was also a recognition that change is impacting on everyone and there is a need to work together through the change process for the ultimate benefit of clients.
- Providers emphasised the need for clear and consistent information to support the transition process and made many suggestions about the nature of communication and the mechanisms that could be useful.
- Many comments related to the overall context in which the new standards have been developed and the importance of thinking ahead to the new environment to ensure decisions made about approaches do not drive unintended consequences.
 - careful thought should be given to what is important in profiling/risk rating providers as criteria are likely to drive behaviours in the sector

- consumers are seeking easy ways to make a complex decision so comparators need to be balanced
- the new standards are likely to increase risk to consumers if they have more choice. Providers want to understand how this will be managed by the Agency
- there are more market drivers in home care and different risks being managed.

We need to recognise that reforms are driven by what consumers want. In home care the level of consumer demand and influence is profound.

In times of transformational change it's about 10% strategy and 90% communication.

Communication in time of change is about clear messages given over and over again.

Bring us along on the journey.

Quotes from Aged Care Provider Roundtables, May 2018

In the providers' words – looking forward to future reforms

What providers told us

Under the new single Commission there will need to be a clear protocol about separation of functions so there is procedural fairness and trust in the system:

- We need to know how the roles will be differentiated. There is a need for clarity about who's doing what. Who can we expect to contact us?
- Need to develop clarity of decision making processes eg decision making trees and advice on how decision making occurs.

We need better information to help prepare for the new standards – currently information is spread across three websites.

Our experience in providing feedback to Agency about the draft guidelines was positive – constructive process, guidelines good, examples comprehensive.

But a caution – some are taking the guidance material literally and using it as a checklist and there is anxiety that assessors, consumers and families will also use it as a checklist.

What providers suggested

A one pager and presentation pitched to Board level on how to prepare for the changes, to give them confidence that good change management is in place.

Consider a range of communication tools including:

- Flow charts on timing for transition
- Fact sheets
- Mapping the current to new standards
- Providing information for in-service training
- Flyers to put up on staff, residents' and families' notice boards
- Posters which are a very effective vehicle for communicating simple and accessible messages.

Not everyone is digitally literate and materials need to be amenable to translation and suitable for rural and regional providers and Indigenous clients.

The draft guidance material should:

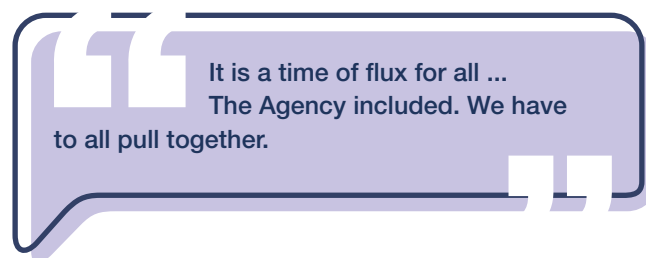
- be clear about the materials being non-mandatory.
- unpack the key topics in the guidance materials further.
- provide further guidance on assessments and what the Agency means by 'best practice'.
- make the criteria for assessment clear. What are we being judged on?

Consider other models of communication products, for example the quarterly publication on home care package reform which is very informative.

What the survey results said about looking forward to future reforms

The roundtable discussions validated the survey results which indicated there is interest as well as some uncertainty and anxiety about how the reforms will be implemented and a need for more information.

The survey results also emphasised the need for the Agency and the regulator to work together throughout the transition.



Quotes from Aged Care Provider Survey, March and April 2018



Image above: Participants from the Aged Care Provider Roundtable in Melbourne 22 May 2018

Key findings and recommendations

The roundtables were conducted at a time when the aged care sector is in the process of significant reform. There was evidence that providers feel under pressure and are seeking to better understand current and future regulatory reforms.

The roundtables provided valuable learnings to inform both current regulatory practices and future arrangements under the Aged Care Quality and Safety Commission from 1 January 2019. The process highlighted the importance of maintaining dialogue at the most senior levels between the Agency, the provider peak organisations and providers.

The process will also inform strategies for positive engagement in the future with other stakeholders, including consumers.

The following key findings and recommendations are jointly endorsed by the Australian Aged Care Quality Agency and the three provider peak organisations, ACSA, the Guild and LASA.

-
- 1 The provider roundtable initiative has set the foundation for a new relationship between the regulator and providers based on mutual respect, trust and improved communication.
- It is recommended that in conjunction with other engagement and consultative forums, roundtable conversations directly with providers continue on an annual basis, in collaboration with the peak organisations, as a mechanism to inform improvements in regulator practice and provider compliance. Consideration should also be given to hosting roundtable discussions with consumers and other stakeholders on specific issues.**

-
- 2 Providers expressed a desire for more regular and timely information on regulatory trends and risks that can inform their understanding of the risk based regulatory model and support continuous improvement of their services.

To increase transparency and support providers' continuous improvement, it is recommended that the Agency publish quarterly analysis of regulatory trends including key areas of risk and learnings from non-compliance and best practice.

- 3 While the survey results were in the main positive, the roundtables have reinforced the value of regular and meaningful feedback as a mechanism to hear directly from providers about the impact of the regulatory regime and their suggestions on opportunities for improvement.

It is recommended that feedback and suggestions proposed by providers at the roundtables be considered by the Agency, in collaboration with the Quality Agency Liaison Group, in improving current and future regulatory processes, and that the Agency advise the sector as changes are implemented. Priority should be given to considering feedback in relation to those areas of practice where the survey and roundtables found the highest levels of concern.

-
- 4 **It is recommended that this report be released to the sector to demonstrate the commitment to achieving greater transparency and trust from the roundtable process and to share the learnings from this process more widely.**

APPENDIX

Aged Care Provider Survey

A summary of results from a survey conducted in March and April 2018 by the provider peak bodies and the Australian Aged Care Quality Agency



Australian Government
Australian Aged Care Quality Agency



Statistical Response Snapshot

Is your service residential or home care or both?



34.60%
Home Care
137 responses



89.39%
Residential Care
354 responses

What is your service's location?



24.49%
Rural
97 responses

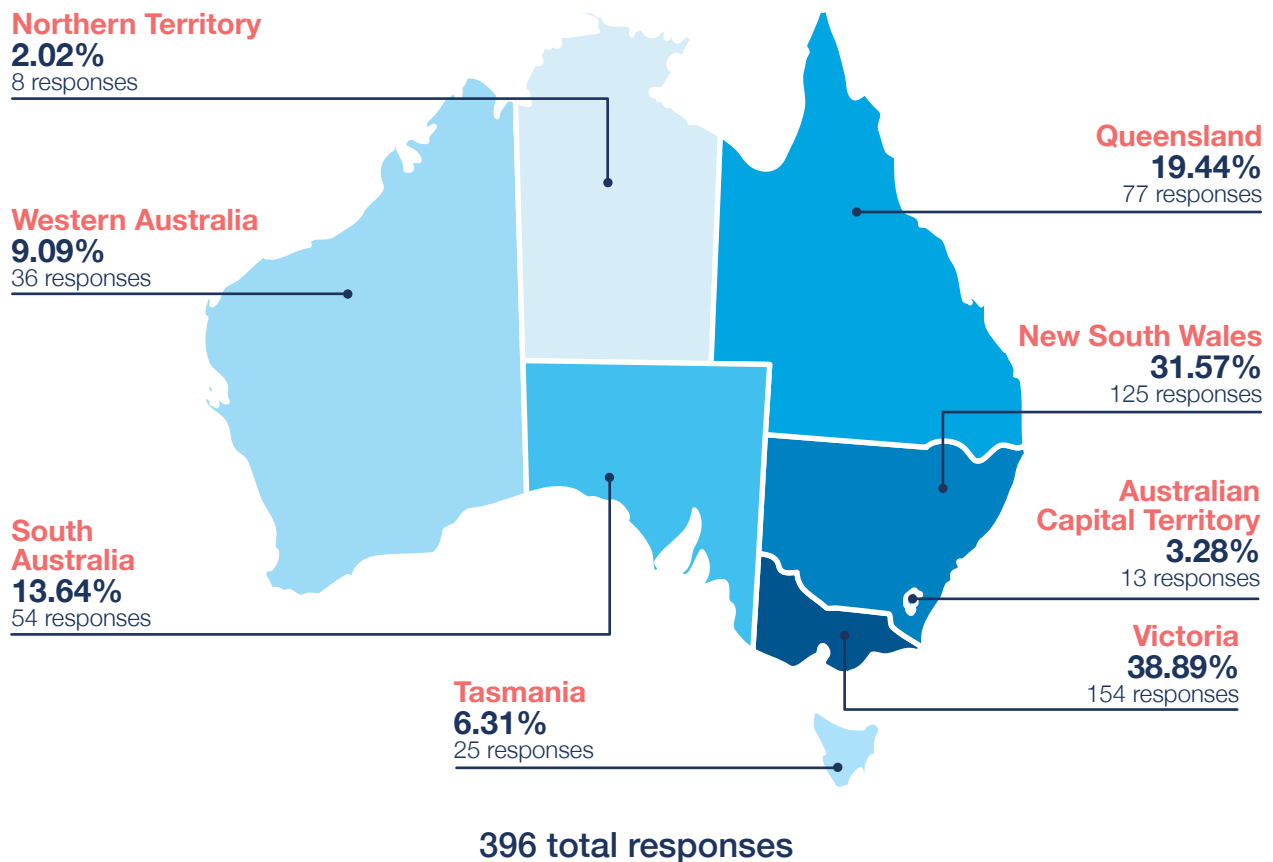
36.87%
Regional
146 responses



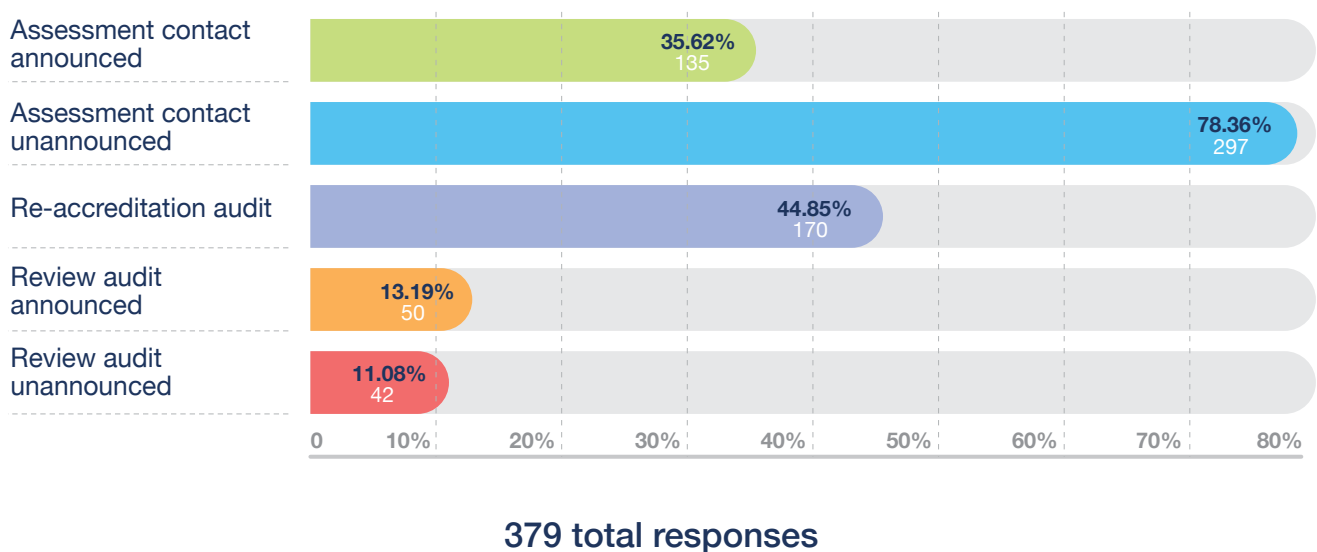
64.39%
Metropolitan
255 responses

396 total responses

What state/territory is your service located?

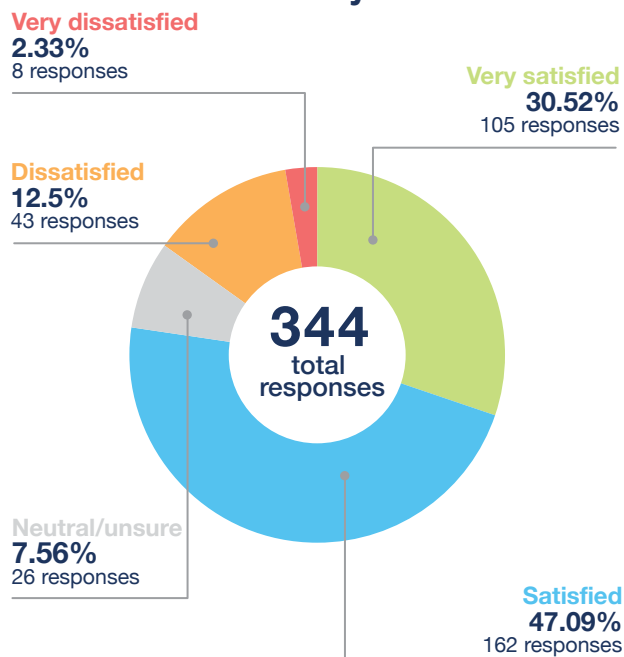


What type of visits have you experienced with the Agency in the last 12 months?

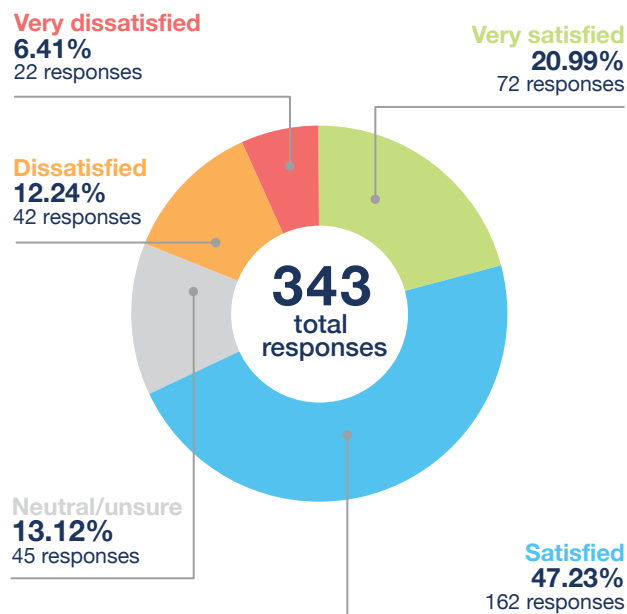


Assessment Team's approach

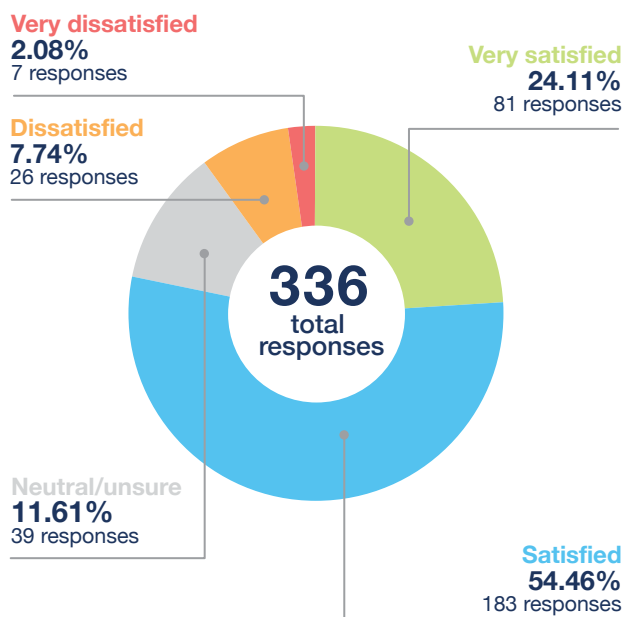
Clarity of assessment team's communication with you



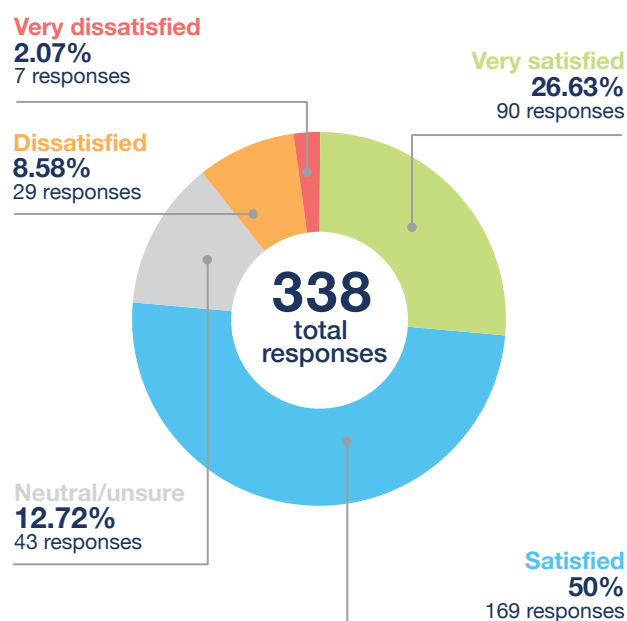
Level of assessment team's objectivity in assessing performance



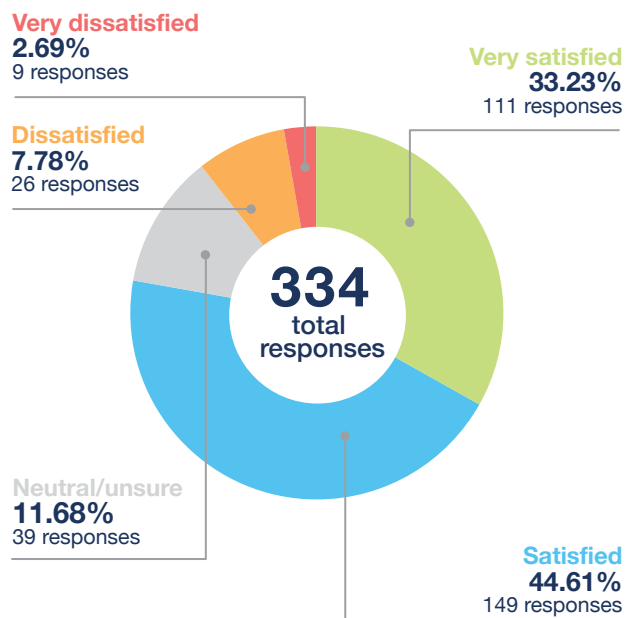
How well organised the assessment team was in conducting the activity



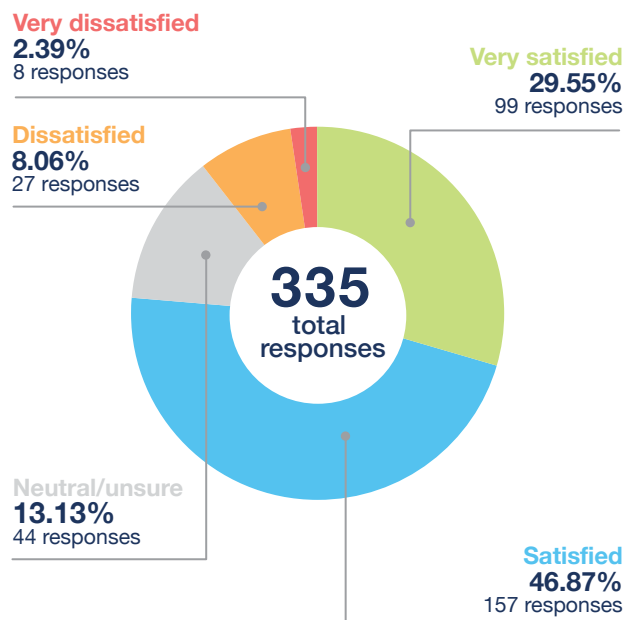
Assessment team's depth of knowledge and understanding of aged care and application of the standards



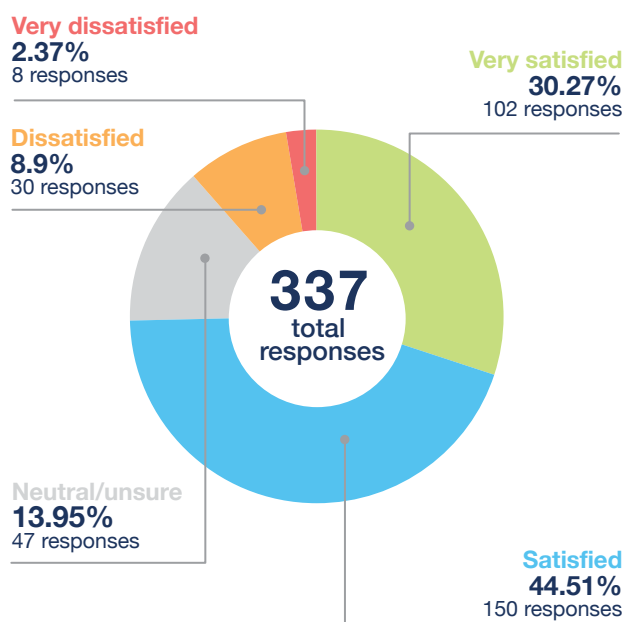
Professionalism, respect and courtesy demonstrated by assessment team



Assessment team's responsiveness to your questions

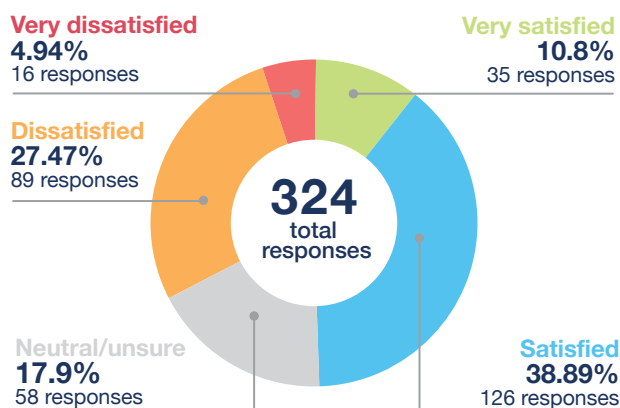


Assessment team's interactions with staff, residents, family members and other stakeholders

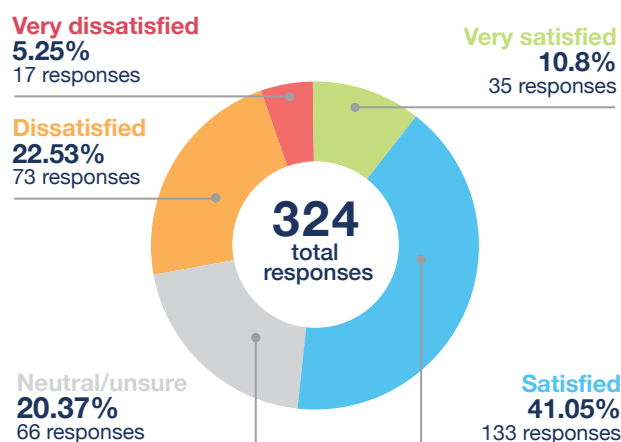


Consistency of practice and approach

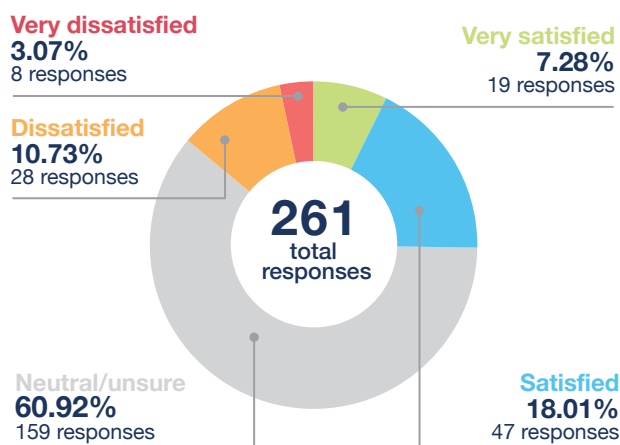
Consistent application of the standards between different teams



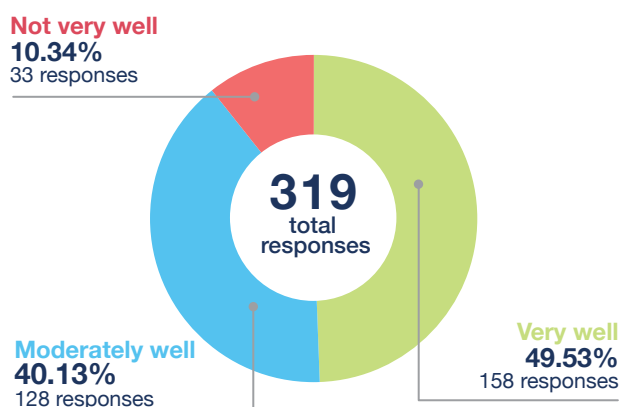
Consistent application of the standards over time



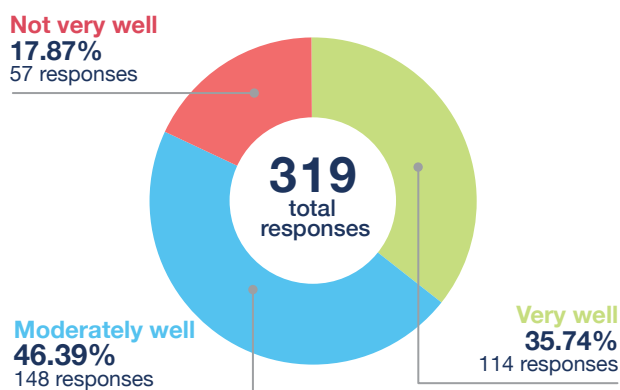
Consistent application of the standards in different states and territories (for those with services in multiple locations)



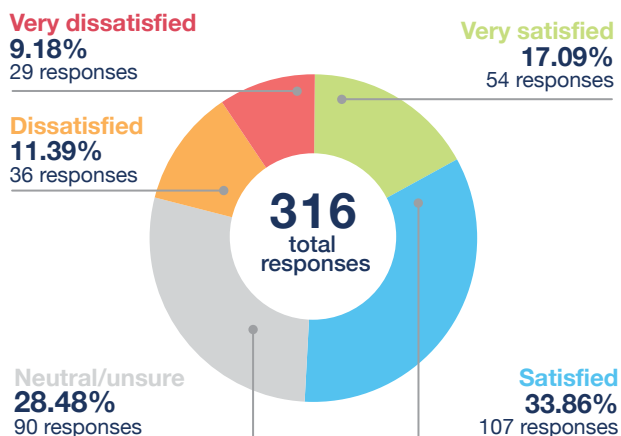
How well did the Agency explain the reasons for its decision/s?



How confident are you that the Agency's decisions about compliance with the standards are fair and reasonable?



How satisfied are you that the Consumer Experience Reports provide valuable input to the assessment process?



Complaints

Do you know how to make a complaint about the Agency's practices and services?

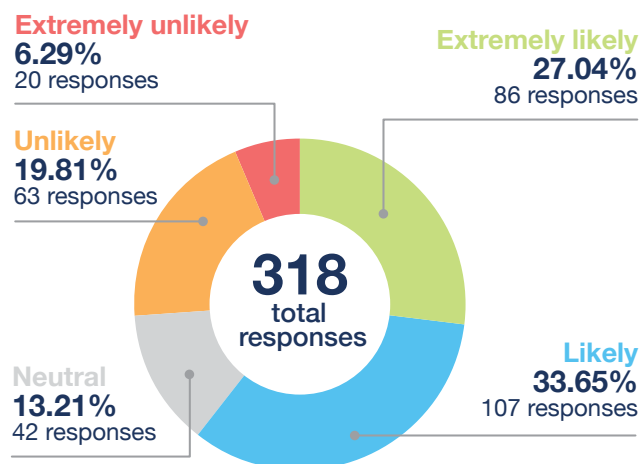


Yes
88.68%
282 responses



No
11.32%
36 responses

How likely would you be to lodge a complaint to the Agency if you had a concern about its practices and services?



Please advise of your extent of your agreement with the following statements:

I am confident that a complaint to the Agency about its practices and services would be dealt with fairly, efficiently and effectively.



Strongly agree
41 responses
12.89%



Agree
107 responses
33.65%



Neither agree nor disagree
105 responses
33.02%



Disagree
54 responses
16.98%



Strongly disagree
11 responses
3.46%

I am confident that I can make a complaint to the Agency about its practices and services without fear of retribution or detriment to my organisation.



Strongly agree
46 responses
14.51%



Agree
97 responses
30.6%



Neither agree nor disagree
93 responses
29.34%



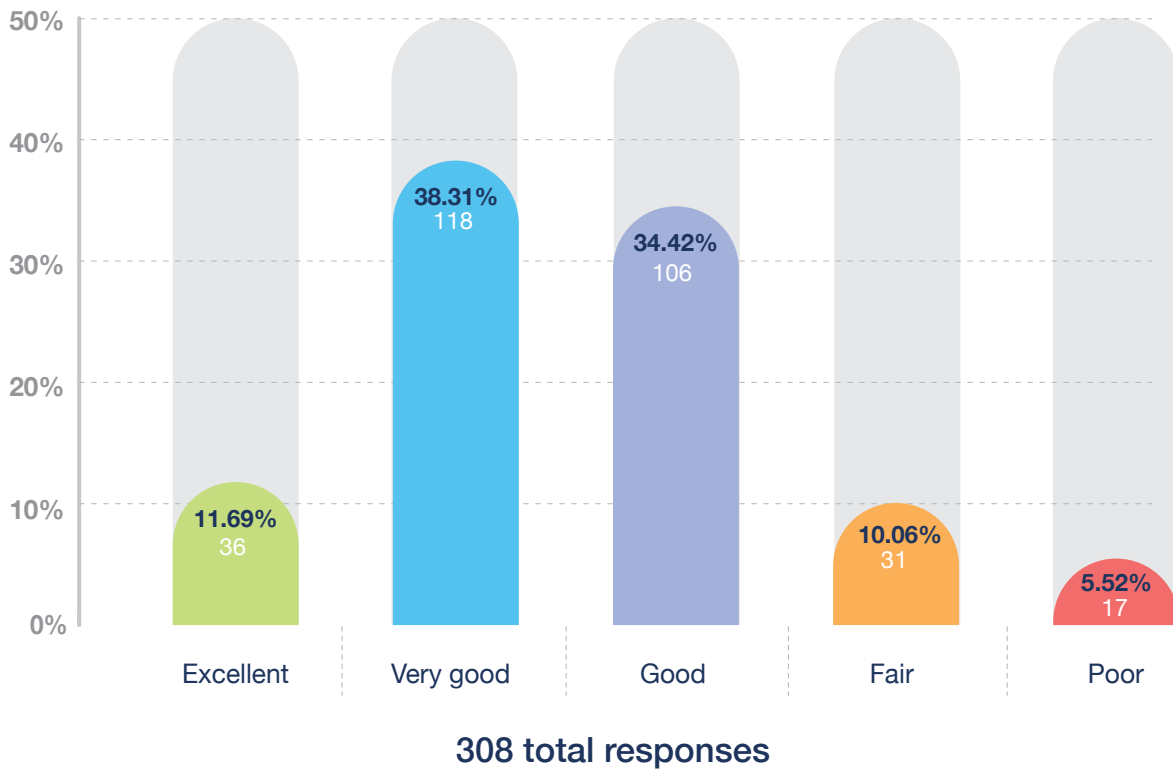
Disagree
56 responses
17.67%



Strongly disagree
25 responses
7.89%

Communications

Please rate the level and usefulness of the information provided by the Agency.



Please rate the priority of topics you would like the Agency to provide further information about, with 1 being the highest priority and 7 being the lowest

	1	2	3	4	5	6	7	TOTAL	SCORE
Key details of the Agency's risk-based regulatory approach	35.77% 88	22.76% 56	16.67% 41	10.57% 26	9.76% 24	2.44% 6	2.03% 5	246	5.49
Use of scoping questions to inform re-accreditation visits	12.8% 32	25.6% 64	22.4% 56	18% 45	13.6% 34	6.8% 17	0.8% 2	250	4.82
Approach to risk-based compliance monitoring	18.25% 48	22.43% 59	26.62% 70	20.15% 53	7.98% 21	4.18% 11	0.38% 1	263	5.09
The Agency's complaints processes	2.63% 7	4.89% 13	13.53% 36	15.04% 40	20.68% 55	33.08% 88	10.15% 27	266	3.14
Use of consumer experience reports	8.65% 23	15.41% 41	13.16% 35	21.8% 58	24.06% 64	15.04% 40	1.88% 5	266	4.1
Future reforms to the sector	24.48% 70	10.84% 31	9.44% 27	10.84% 31	15.73% 45	26.92% 77	1.75% 5	286	4.3
Other (please nominate)	5% 7	3.57% 5	2.14% 3	2.14% 3	2.86% 4	2.14% 3	82.14% 115	140	1.71

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