

Australian Organisation for Quality Aged Care 2008 Conference

Role and Functions of the Aged Care Commissioner

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Demography

- **1/4 of older Australians born overseas**
- **Currently 12% population aged 65+**
- **2041 25% population aged 65+**
- **2045 2 million aged 80+**



Services

- **3,000 residential aged care services**
 - **165,782 places**
 - **6,000 younger disabled**
- **38,492 community places**



Perceptions

- **Nursing**: *to care for, feed, protect, nurture, tend, treat and give comfort.*
- **Home**: *friendly place, can live and feel safe, rest easy, be comfortable*





Herald Sun

www.heraldsun.com.au

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NEWS PICTORIAL

CITY: SHOWERS. MAX. 13 PAGE 31

\$1*
(Incl. GST)

HOME SHAME

INSIGHT Scandal of 1944 elderly in centres that fail

By **KEITH MOOR**,
Insight editor

ALMOST 1950 elderly people live in 46 Victorian aged care homes rated as being in a critical or unacceptable condition.

Authorities also found there was an immediate and severe risk to the safety, health or well-being of 252 residents at four homes in the past two months alone.

A *Herald Sun* INSIGHT investigation discovered some of the 1944 residents living in sub-standard homes are needlessly being chemically and physi-

THE SUB-STANDARD HOMES



- Full list, Page 6
- Belts used to restrain residents, Page 6
- Sanctions taken, P7

by aged care inspectors. INSIGHT discovered 629 elderly people are living in 11 homes classified by inspectors as being in a critical condition. A further 1315 are housed in 35 homes rated by accreditation

are run by religious groups, seven of them Catholic organisations. Six are managed by State Government-run regional health services and two are operated by the RSL. Appalling cases cata-



Regulatory regime

- *Aged Care Act 1997* & Aged Care Principles
- Aged Care Standards and Accreditation
- Complaints Investigation Scheme
- Compliance; Sanctions
- Certification



Changes: 1 May 2007

- **Complaints Investigation Scheme**
- **Compulsory reporting**
- **Whistleblower protections**
- **Police Checks**
- **Unannounced visits**
- **Aged Care Commissioner**



Legislated Role of the Aged Care Commissioner

- **Examine, on appeal, decisions of the Aged Care Complaints Investigation Scheme**
- **Examine complaints**
- **Initiate own motion investigations**
- **Provide advice to the Minister**



Examine, on appeal, decisions of the Scheme

- to examine decisions that are made by the Secretary under the Investigation Principles and are identified by those Principles as being examinable by the Aged Care Commissioner, and make recommendations to the Secretary arising from the examination



Relevant Decisions

- **Approved Provider**
 - **There has been a breach**
 - **Issue a Notice of required Actions (NRA)**
 - **Terms & conditions of the NRA**

- **Type A Informants (Care recipient, representative)**
 - **To cease investigating a matter**
 - **That there has not been a breach**
 - **Not to issue an NRA**
 - **Terms & conditions of the NRA**



Examine complaints

- **to examine complaints made to the Aged Care Commissioner about the Secretary's processes for handling matters under the Investigation Principles, and make recommendations to the Secretary arising from the examination**



Examine complaints

To examine complaints made to the Aged Care Commissioner about:

- **The conduct of an accreditation body relating to its responsibilities under the Accreditation Grant Principles *or***
- **The conduct of a person carrying out an audit, or making a support contact under those Principles and make recommendations to the accreditation body concerned arising from the examination**



Own Motion Investigations

- **To examine, on the Commissioner's own initiative, the Secretary's processes for handling matters under the Investigation Principles, and make recommendations to the Secretary arising from the examination**



Own Motion Investigations

To examine, on the Commissioner's own initiative:

- **The conduct of an accreditation body relating to its responsibilities under the Accreditation Grant Principles; *or***
- **The conduct of a person carrying out an audit, or making a support contact under those Principles and make recommendations to the accreditation body concerned arising from the examination.**



Commitment

Vision:

To be a recognised leader in complaints management and public administration

Mission :

Through an effective office of review improve the quality of aged care services by promoting excellence in complaint handling and public administration



Quality Assurance

- **Performance indicators**
- **Post case conferencing**
- **Statistical analysis & reporting**
- **Focus groups**
- **Satisfaction surveys**
- **Report to Minister & the Parliament**



Overview of Activities

July – December 2007



Activity: July-December 2007

- Appeals Received: 67
 - Type A : 66%
 - Approved Provider : 34%



Activity: July-December 2007

- Appeals Accepted: 58
- 10% of appeals out-of-time



Activity: July-December 2007

- Appeals Investigated: 54
 - One withdrawn
 - Two conciliated



Activity: July-December 2007

- **Appeals Finalised: 39**

- **Recommendations:**
 - **To confirm 62 %**
 - **To vary 23 %**
 - **To set aside 15 %**



Activity: July-December 2007

■ Reconsideration Decisions

(made by the Department): **33**

■ Accepted : **88%**

■ Rejected : **12%**





Office of the Aged Care Commissioner

The new website for the Office of the Aged Care Commissioner can be found at:

www.agedcarecommissioner.net.au

