

# Combined Pensioners & Superannuants Association

OF NEW SOUTH WALES INC



## Submission the Department of Health on the *Exposure Draft Quality Agency Principles 2013*

8 November 2013

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**Combined Pensioners & Superannuants Association of NSW Inc (CPSA)**

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*CPSA is a non-profit, non-party-political membership association founded in 1931 which serves pensioners of all ages, superannuants and low-income retirees. CPSA has 130 Branches and affiliated organisations with a combined membership of over 29,000 people living throughout NSW. CPSA's aim is to improve the standard of living and well-being of its Members and constituents. CPSA depends for the majority of its funding for core activities as a peak body on a \$440,000 grant from the NSW Government. CPSA engages in systemic advocacy on behalf of its constituency and also auspices four services which receive Government funding: the Health Promotion Service for Older People, the Older Persons Tenants' Service, the Park and Village Service and a Community Visitors Scheme. CPSA acknowledges the potential for conflict of interest arising for CPSA and the NSW Government as a result of this funding arrangement. CPSA is committed to managing any conflict of interest issues in an ethical manner.*

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CPSA welcomes the opportunity to comment on the *Exposure Draft Quality Agency Principles 2013* (the Principles).

CPSA's submission will focus on accreditation of residential aged care services.

Accreditation should ensure that residential aged care services provide care recipients with the care they need, and that it is of a high quality. The current accreditation regime does not necessarily achieve these aims because the standards upon which it is based are inadequate to properly monitor the care received by care recipients. However, for the purposes of this consultation, CPSA will restrict its comments to the draft Principles.

### **Unannounced visits**

There appears to be a 'softening' of the unannounced visit regime. There is nothing mentioned in the Principles or the accompanying Guide concerning the policy of one unannounced visit to residential aged care facilities each year. In CPSA's view, unannounced visits are a critical component in the monitoring of facilities because reaccreditation visits are announced (with notice of up to three months given) and Review Audits and assessment contacts are generally announced.

**Recommendation 1: That the Australian Government commits to residential aged care facilities receiving at least one unannounced visit per annum.**

Omitted from the description of assessment contacts is that the Agency is 'not required to give notice', which is included in the *Accreditation Grant Principles 2011*. Although the Principles go on to mention at 2.33 'Additional assessment contacts' that these may be unannounced, it should be unambiguous that all assessment contacts may be conducted without notice.

**Recommendation 2: That Division 3, 2.30 be amended to include 'giving notice to the approved provider is not required when conducting an assessment contact'.**

### **Site visits**

The Principles describe assessment contacts as "any form of contact (other than a site audit or a review audit) between the CEO of the Quality Agency or a quality assessor and the approved provider". This presumably allows assessment contacts to be conducted over the phone (or any other telecommunication device), which CPSA strongly condemns. The Quality Agency cannot obtain an idea of the quality of care being delivered in a facility by conducting an assessment contact over the phone/internet. All assessment contacts should include a visit to the facility.

**Recommendation 3: That Division 3, 2.30 be amended by replacing 'any form of contact' with 'visit to the service'.**

## **Consultation with staff**

When the Agency visits a facility to conduct a site audit, review audit or assessment contact, the Principles specify that the assessment team must “consider any relevant information about the quality of care or services provided through the service that was given to the team:

- i. by a care recipient or former care recipient of the service; or
- ii. by a representative of a person mentioned in subparagraph (i) on behalf of the person.”

CPSA calls for the inclusion of staff in this clause. Although there is no definition of ‘representative’ in the *Aged Care Act 1997* or the principles, a representative is normally described as being a family member, friend, power of attorney or the Public Guardian, who has received consent from the care recipient to act on their behalf. These descriptions do not extend to members of staff.

The Principles should make clear that staff must be consulted by accreditation teams and that staff are free to provide accreditation teams with information, in confidence, without repercussion. There should be whistle-blower protections for staff in raising issues with accreditation teams, just as there are for staff who report suspected physical or sexual assault of aged care recipients.

**Recommendation 4: That staff be included in the list of people who must be consulted by accreditation teams when inspecting a facility.**

**Recommendation 5: That staff be covered by whistle-blower protections so that they may speak freely with assessment teams.**

## **Register of assessors**

CPSA notes the omission of a public register of assessors in the Principles. A publicly available register of assessors must continue so that the public and approved providers know who is a registered assessor with the Quality Agency and can check their credentials. This is important for the security of the nursing home, so that unscrupulous individuals do not enter the facility under the guise of an ‘assessor’.

**Recommendation 6: That part 3 include a clause that specifies that the Agency must create a register of assessors that is kept up to date and published.**