

**PARLIAMENTARY INQUIRY QUESTION ON NOTICE**  
**Aged Care Quality and Safety Commission (ACQSC)**  
**Senate Select Committee on COVID-19**  
**Australian Government's response to the COVID-19 pandemic**  
**29 May 2020**

**PDR Number:** IQ20-000365

**Resuming of unannounced visits**

**Written**

**Senator:** Katy Gallagher

**Question**

When will the Aged Care Quality and Safety Commission resume unannounced visits to residential aged care facilities? Please provide a date.

**Answer:**

The Commission resumed conducting unannounced visits to residential aged care services on 1 June 2020.

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**PDR Number:** IQ20-000366

**Covid-19 outbreaks at Dorothy Henderson Lodge, Opal Bankstown and Newmarch House**

**Written**

**Senator:** Katy Gallagher

**Question**

On what dates was the Aged Care Quality and Safety Commission advised of the COVID-19 outbreaks at Dorothy Henderson Lodge, Opal Bankstown and Newmarch House?

**Answer:**

The Commission was advised of the COVID-19 outbreak at Dorothy Henderson Lodge on 3 March 2020, at Opal Bankstown on 23 March 2020 and at Newmarch House on 12 April 2020.

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**PDR Number:** IQ20-000367

**Pandemic plan - Newmarch House**

**Written**

**Senator:** Katy Gallagher

**Question**

Whose pandemic plan was Newmarch House operating under? Please provide details.

**Answer:**

Newmarch House was operating under its own infection control/respiratory outbreak plan at the commencement of the outbreak. A combined outbreak management plan was subsequently drafted by the NSW Health Public Health Unit.

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**PDR Number:** IQ20-000368

**Staffing issues at Newmarch House**

**Written**

**Senator:** Katy Gallagher

**Question**

In relation to the Minister's statement on 6 May that Anglicare wasn't able to 'maintain adequate staffing':

When was the Aged Care Quality and Safety Commission aware that staffing was an issue at Newmarch House? Please provide the date and times the Aged Care Quality and Safety Commission was notified.

**Answer:**

The Commission received four complaints related to staffing issues at Newmarch House during the COVID-19 outbreak. These were received between 17 and 23 April 2020.

During the outbreak, the regular outbreak coordination meetings between the Provider, NSW Health, the Commonwealth Department of Health and the Commission also indicated ongoing staff management issues including difficulty with filling rosters. The Commonwealth Department of Health managed these issues, confirming daily sufficiency, and providing access to a surge workforce through Aspen.

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**PDR Number:** IQ20-000370

**PPE for residential and home care staff and residents**

**Written**

**Senator:** Katy Gallagher

**Question**

Is the Aged Care Quality and Safety Commission satisfied there is enough PPE for residential and home care staff and residents if there are more outbreaks due a second wave of COVID- 19?

**Answer:**

The Aged Care Quality Standards require approved providers to minimise infection related risks, including by ensuring access to adequate supplies of PPE.

The Government has committed to ensuring that all aged care providers experiencing a COVID-19 outbreak will be supported to access required supplies of PPE.

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**PDR Number:** IQ20-000371

**Access to PPE for service providers**

**Written**

**Senator:** Katy Gallagher

**Question**

Is the Aged Care Quality and Safety Commission satisfied there is adequate access to PPE for service providers with the introduction of the new visitation code?

**Answer:**

The Aged Care Quality Standards require approved providers to minimise infection related risks, including by ensuring access to adequate supplies of PPE.

The Aged Care Quality and Safety Commission (Commission) has provided information and tools to support providers to identify and manage risks that might result from the COVID-19 pandemic. The Commission continues to monitor the quality of care and services against the Aged Care Quality Standards and hold providers to account if the expected standards are not met.

The Federal Government has also announced measures to enable providers in particular circumstances to access personal protective equipment (PPE) from the national stockpile.

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**PDR Number:** IQ20-000372

**Aged Care Quality and Safety Commission do about the staffing issue**

**Written**

**Senator:** Katy Gallagher

**Question**

In relation to the Minister's statement on 6 May that Anglicare wasn't able to 'maintain adequate staffing':

What did the Aged Care Quality and Safety Commission do about the staffing issue?

**Answer:**

The Commission participated in regular outbreak coordination meetings and monitored Newmarch House's response to offers of staffing assistance by the Commonwealth Department of Health.

On 23 April 2020, the Commission issued the Provider with an administrative direction requiring the Provider to appoint, on or before 24 April 2020, an adviser and support team to help manage the COVID-19 outbreak. The Provider implemented this direction as required.

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**PDR Number:** IQ20-000373

**Sufficient staffing to screen visitors and PPE**

**Written**

**Senator:** Katy Gallagher

**Question**

Is the Aged Care Quality and Safety Commission confident there is enough staff to screen visitors when they arrive at an aged care facility as well as the associated PPE that will be needed?

**Answer:**

Under the Aged Care Quality Standards, providers are expected to have an effective system to plan and monitor their workforce to meet consumers' needs and deliver safe and quality care. This includes planning for the service's staffing needs during an internal or external emergency. The Standards also require providers to minimise infection related risks, including through ensuring access to adequate supplies of PPE.

The Aged Care Quality and Safety Commission (Commission) has provided information and tools to support providers to identify and manage risks that might result from the COVID-19 pandemic. The Commission continues to monitor the quality of care and services against the Aged Care Quality Standards and hold providers to account if the expected standards are not met.

The Federal Government has also announced measures to: support workforce arrangements for COVID-19 affected residential services, and; enable providers in particular circumstances to access personal protective equipment (PPE) from the national stockpile.



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**PDR Number:** IQ20-000374

**Staffing issues at Anglicare**

**Written**

**Senator:** Katy Gallagher

**Question**

In relation to the Minister's statement on 6 May that Anglicare wasn't able to 'maintain adequate staffing':

Which organisations, individuals or government authorities did the Aged Care Quality and Safety Commission engage prior to it issuing the regulatory actions to Anglican Community Services (Newmarch House)? Please provide the date, times and the name of the organisation, person or authority.

**Answer:**

Regulatory actions taken by the Aged Care Quality and Safety Commission in relation to Newmarch House comprised issuing an Administrative direction (23 April 2020), a Non-compliance Notice (3 May 2020), and a Notice of Requirement to Agree to Certain Matters (6 May 2020).

The Commissioner advised the Commonwealth Department of Health (Deputy Secretary Mr Michael Lye) of her intention to take each of the above actions in the period leading up to the action. The Commissioner also contacted Mr Grant Millard (CEO, Anglican Community Services) immediately prior to taking each of the above actions.

In addition, the Commissioner communicated with BaptistCare NSW ACT (CEO Mr Ross Low and General Manager Residential Services Mr Allan Waters) in the period prior to issuing the Administrative direction. This was for the purpose of securing their agreement to make available a three-person management team for temporary placement in Newmarch House.

Further, the Commissioner communicated with Catholic Healthcare (CEO David Maher) in the period prior to issuing the Notice of Requirement to Agree to Certain Matters. This was

for the purpose of securing his agreement to release Mr Andrew Kinkade to enable Mr Kinkade to perform in the role of independent adviser to Newmarch House.

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**PDR Number:** IQ20-000376

**Regulatory actions to any other service providers**

**Written**

**Senator:** Katy Gallagher

**Question**

Has the Aged Care Quality and Safety Commission issued any regulatory actions to any other service providers that have had a COVID-19 outbreak? If yes, please provide the date, times and name of the service provider or residential aged care facility and the regulatory action issued.

**Answer:**

Yes. The Commission has taken regulatory action against Anglican Community Services in relation to its service Newmarch House.

- An administrative direction was issued in respect of Newmarch House on 23 April 2020.
- A Non-Compliance Notice was issued in respect of Newmarch House on 3 May 2020. This case is now closed due to the NTA being issued.
- A Notice of Requirement to Agree to Certain Actions (NTA) was issued in respect of Newmarch House on 6 May 2020. This case is still open.

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**PDR Number:** IQ20-000378

**Aged Care Quality and Safety Commission role in relation to testing**

**Written**

**Senator:** Katy Gallagher

**Question**

Did the Aged Care Quality and Safety Commission play any role in relation to testing? If yes, please provide details. If not, why not?

**Answer:**

No. The responsibility for testing resides with Public Health Units. The Aged Care Quality and Safety Commission (Commission) was briefed on testing arrangements for each outbreak site though its involvement in regular coordination meetings involving the Provider, the relevant Public Health Unit, the Commonwealth Department of Health and the Commission.

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**PDR Number:** IQ20-000379

**Issues with access to PPE at Dorothy Henderson Lodge, Opal Bankstown or Newmarch House**

**Written**

**Senator:** Katy Gallagher

**Question**

Was the Aged Care Quality and Safety Commission aware of any issues with access to PPE across Dorothy Henderson Lodge, Opal Bankstown or Newmarch House? If yes, please provide details.

**Answer:**

For each of these services, the Aged Care Quality and Safety Commission (Commission) became aware of issues related to the supply of PPE through the regular outbreak coordination meetings between the Provider, NSW Health, the Commonwealth Department of Health and the Commission. These issues were addressed by the Commonwealth Department of Health.

With respect to Opal Bankstown, the Commission also received a complaint on 14 April 2020 about access to PPE at the service. This issue was resolved to the complainant's satisfaction on the same day.