

**Senate Community Affairs Committee**

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

**Supplementary Budget Estimates 2016 – 2017, 19 October 2016**

**Ref No:** SQ16-000549

**OUTCOME:** 6 – Ageing and Aged Care

**Topic:** Aged Care Complaints Commissioner

**Type of Question:** Written Question on Notice

**Senator:** Senator Rachel Siewert

**Question:**

- a) Does the Aged Care Complaints Commissioner monitor the implementation of their findings?
- b) How many of their findings have been actioned in the last 12 months?
- c) How many of their findings have been followed up in the last 12 months?
- d) How many facilities have lost their accreditation in the last 12 months following a complaint? How many facilities have had their accreditation downgraded in the last twelve months following a complaint?

**Answer:**

- a) In most cases, the Complaints Commissioner does not monitor any changes the service provider makes to address the findings in a complaint. We do discuss any intended changes with the complainant before finalising the case and ensure the complainant is aware they can come back to us at any time with further concerns if matters are not addressed as promised.

The Complaints Commissioner does not monitor changes resulting from complaints because her functions and powers in relation to a complaint end with the finalisation of the complaint.

The exception to this is when we issue a notice of intention to issue directions to the service provider during a resolution process. This can occur when the Complaints Commissioner is satisfied the service provider is not meeting its obligations. The service provider's response to such a notice is monitored. If the service provider does not give a satisfactory response to this notice, then the Complaints Commissioner may issue directions to the service provider to ensure it meets its obligations. The Act requires that providers comply with such directions. These are also monitored. If the service provider does not satisfactorily follow the directions, then the Complaints Commissioner will refer the matter to the department to consider taking compliance action against the service provider.

- b) The Complaints Commissioner does not follow up findings for the reasons explained in part a).
- c) The Complaints Commissioner does not follow up findings for the reasons explained in part a).
- d) In the last 12 months no aged care facility has had their accreditation revoked by the Australian Aged Care Quality Agency (Quality Agency). In the same period, nine aged care facilities had the period of accreditation varied to less than three years due to their performance against the accreditation standards. The Quality Agency also identified serious risk at seven aged care facilities and continues to monitor the performance of these homes including through unannounced visits.

The Quality Agency received a referral from the Aged Care Complaints Commissioner whilst undertaking an accreditation review audit in two of the facilities that had a subsequent decision to vary the period of accreditation.