



## **Review of the Aged Care Complaints Investigation Scheme**

The Department of Health and Ageing recently released a report on a review conducted on the [Aged Care Complaints Investigation Scheme](#) (ACIS). The report was a result of 20 face to face consultations and 119 submissions from stakeholders involved in the delivery of aged care services nationally.

The review was conducted by Associate Professor Marilyn Walton, Associate Professor of Medical Education, University of Sydney and formerly Director of the NSW Health Complaints Unit and Commissioner for the NSW Health Care Complaints Commission. The author of the report identified key issues between consumers and the ACIS around communication, the management of complaints, perception, training as well as issues on key ACIS processes and practices.

The key recommendations of the report are:

- Restructuring of the Aged Care Complaint scheme into three divisions:
  - Division of Assessment and Early Resolution
  - Division of Investigations
  - Division of Communications and Stakeholder Relations
- Proposed changes in the location and position of the ACIS. The report recommended 4 models. These include:
  - Restructure and reorganise the current ACIS within the Department;
  - Transfer complaints to the Agency or the Commonwealth Ombudsman;
  - Establish an Office of Aged Care Complaints responsible to a Commissioner for Aged Care Complaints; and
  - Establish a new Aged Care Complaints Commission.
- Establishment of a new Aged care Complaints Commission
- Reviewing the position description of ACIS officers to include two defined skill sets: complain resolution and investigation.
- Ensure that ACIS staff complete an in-house investigation training program
- Establish an internal panel of technical experts, accessed via a panel system to assist in the assessment of complaints and early resolution.
- Ensure that the ACIS works on a risk management framework.
- Improve the investigation process with training, consultation and understanding of procedures and processes.
- Revision or replacement of the ACIS procedures manual to:
  - Enable organisations to respond orally or in writing in regard to a complaint.
  - Ensure that there are no conflicts of interest as well as bias.

- Amend the Aged Care Principles to allow providers an opportunity to respond to a complaint before a Notice of Required Action (NRA) is issued.
- Develop a protocol for requests for reviews by complaints for decisions made by the CIS.
- Develop realistic timeframes for each stage of the complaint management framework.

The review proposed recommendations aimed at improving the consumer focus and protection in aged care. There was a clear focus on early resolution of complaints and the handling of complaints locally. Although this can enhance the Aged Care Complaints Investigation Scheme, there should be a clear articulation that the thrust for early resolution would not put additional administrative or compliance burden to providers.

There was also a major push for proper and adequate training of CIS investigators. This will be of benefit to providers as CIS staff would be better skilled to handle complaints and conduct investigations in a fair and timely manner. The new training programs must also strive to change the perception of organisations of the punitive nature of the CIS. The CIS should also ensure that the procedures and processes proposed to be revised should be proactive rather than reactive.

Another major recommendation is the establishment of a new Aged Care Complaints Commission. This was proposed to ensure that the CIS is viewed separately from the Department and allow a fair and unbiased investigation into complaints. The proposed new commission should be guaranteed that any actions or recommendations stemming from the commission are binding. The establishment of a new commission should also be made without additional administrative burden to organisations.

Aged & Community Services SA & NT (ACS) will be working closely with the National Body in monitoring any actions from the proposed recommendations and will communicate this with the members.