



SENATOR THE HON RICHARD COLBECK

Minister for Aged Care and Senior Australians

Minister for Youth and Sport

Ref No: MC19-018886

Senator the Hon Concetta Fierravanti-Wells
Chair
Senate Standing Committee on Regulations and Ordinances
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear ~~Senator~~ *Conetta*,

Thank you for the opportunity to brief the Senate Standing Committee on Regulations and Ordinances (Committee) on 12 November 2019 in relation to the *Quality of Care Amendment (Minimising Use of Restraints) Principles 2019*. These amendments are introduced under Part 4A of the *Quality of Care Principles 2014*.

In consideration of the concerns raised by the Committee, and others, my intention is to make amendments to Part 4A, and for these to come into effect prior to the expiry of the Committee's notice of motion to disallow the Instrument on 28 November 2019.

The amendments will provide for Part 4A to be reviewed after 12 months of operation and repealed after two years of operation. These amendments will set out that:

- the review will consider the effectiveness of Part 4A in minimising the use of physical restraints and chemical restraints by providers of residential aged care in relation to their consumers in the period 1 July 2019 to 30 June 2020
- the review will make provision for consultation and is to be completed by 31 December 2020
- the report of the review will be published online and tabled in both Houses of Parliament.

Given the Royal Commission into Aged Care Quality and Safety focus on the use of restraints in residential aged care, the timing of the review will allow for consideration of the Royal Commission's recommendations.

As outlined at the meeting with the Committee, the introduction of regulations is just one component of a suite of measures aimed at minimising the use of restraints in residential aged care.

At the request of the previous Minister for Aged Care, the Hon Ken Wyatt AM MP, the Aged Care Clinical Advisory Committee was established to consider options to reduce the inappropriate use of chemical restraint in residential aged care. The Australian Government has endorsed all of the non-regulatory recommendations.

The Aged Care Clinical Advisory Committee is currently taking forward a range of non-regulatory measures to reduce the inappropriate use of chemical restraint in residential aged care across the themes of education, workforce, best practice prescribing behaviours, alternative approaches and clinical governance.

Yours sincerely

Richard Colbeck 