



**Australian Government**  
**Aged Care Quality and Safety Commission**

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Ms Kate Campbell  
A/g Committee Secretary  
Community Affairs Legislation Committee  
**community.affairs.sen@aph.gov.au**

**RE: Submission to Senate Community Affairs Legislation Committee for the Inquiry into the provisions of the Inspector-General of Aged Care Bill 2023 and the Inspector-General of Aged Care (Consequential and Transitional Provisions) Bill 2023.**

In my capacity as the Aged Care Quality and Safety Commissioner, I provide the following statement to the Senate Community Affairs Legislation Committee for the Inquiry into the provisions of the Inspector-General of Aged Care Bill 2023 and the Inspector-General of Aged Care (Consequential and Transitional Provisions) Bill 2023.

The Aged Care Quality and Safety Commission (Commission) welcomes the establishment of the Inspector-General of Aged Care and the proposed legislation to formally give effect to its operation.

The establishment of the Inspector-General will strengthen transparency and accountability across the aged care system and support the performance of the Commission.

The Commission has been engaged in the drafting process for this legislation and has been actively working with the Office of the Interim Inspector-General of Aged Care to support its operation as an efficient and independent Commonwealth integrity agency.

As detailed in the Inspector-General of Aged Care Bill 2023, the Inspector-General will have the power to review how I exercise my powers and perform my functions and duties under the *Aged Care Quality and Safety Commission Act 2018*.

Pending the passage of legislation and final powers of the Inspector-General, it is anticipated that the Commission will be required to respond to requests for information including data and intelligence, and information relating to the Commission's functions and powers.

The Commission also supports the requirement via clause 28 for the Inspector-General to complete a first review of progress on the implementation of the Royal Commission's recommendations by 1 March 2026, and a second review by 1 March 2031. We understand that this will be in addition to ad-hoc reviews and ongoing monitoring, investigation and reporting of systemic issues of the aged care system, including the Commission's work.

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### **Memorandum of Understanding**

The Commission and the Office of the Interim Inspector-General have already commenced negotiation of a Memorandum of Understanding (MOU) to facilitate information sharing processes.

It is envisaged that an MOU will be ready to be signed subject to passage of the Inspector-General of Aged Care Bill 2023. A key focus of the MOU will be making clear the required information exchange arrangements. This will consider administrative protocols and data exchange requirements, both routine and ad hoc in nature.

### **On-going collaboration between the Commission and the Inspector-General of Aged Care**

Currently, I am in the process of filling the position of Complaints Commissioner. Once appointed, the Complaints Commissioner and I look forward to engaging with the Inspector-General on matters relating to both complaints and other matters within the Commission's regulatory remit.

Should you require any further information in relation to this submission, please contact me.

**Janet Anderson** PSM  
Commissioner

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31 March 2023