

**Senate Community Affairs Committee**

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

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

**Ref No:** SQ16-000482

**OUTCOME:** 6 – Ageing and Aged Care

**Topic:** Elder Abuse in Aged Care

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

**Senator:** Griff, Stirling

**Question:**

In reassessing the accreditation of an aged care facility, does the Aged Care Quality Agency take into account any allegations of elder abuse or staff criminal convictions for abuse? If not, why not?

**Answer:**

The accreditation decision takes into account relevant information provided by care recipients or their representatives, the service provider, or the Department of Health and may take into account any other relevant matter.

The *Aged Care Act 1997* requires providers to report assaults to the police within 24 hours of becoming aware of a suspected or alleged assault, (noting that the police are the most appropriate agency to respond and investigate incidents of a criminal nature, state and territory governments have the primary responsibility to address elder abuse through state law enforcement and guardianship arrangements).

The health, safety and wellbeing of older people in aged care are of paramount importance to the Australian Aged Care Quality Agency (Quality Agency). We have a role, through the accreditation system, to ensure the organisation has systems in place to keep aged care recipients safe from harm and enable them to live in a safe and comfortable environment that ensures their quality of life and welfare.

In making a decision on the re-accreditation of an aged care facility the Quality Agency takes into account the re-accreditation site audit report for the service and any response to this report given to the Quality Agency by the approved provider. The decision also takes into account any relevant information given to the Chief Executive Officer or to the assessment team that conducted the site audit, by a care recipient or former care recipient of the service, or by their representative. The decision must take into account whether the Quality Agency is satisfied that the approved provider will undertake continuous improvement in relation to the services. The accreditation decision must also take into account relevant information provided by the service provider or the Department and may take into account any other relevant matter.

The Quality Agency may revoke, or vary a period of accreditation based on the site audit report and information it receives in relation to performance of the home against the Accreditation Standards. If there is a finding of failure against the accreditation standards the Quality Agency decides whether that failure has placed, or may place, the safety, health or wellbeing of a care recipient of the service at serious risk. If a decision of serious risk is made, the Quality Agency will notify the Department and sanctions may apply.