

National Aged Care Advocacy Program (NACAP)

Frequently Asked Questions (FAQs)

What is Advocacy?

Most commonly advocacy refers to a person speaking up for themselves or on behalf of someone else. It is about making sure a person's wishes, needs and views are heard.

This idea of people representing others has gathered strength in the last 20 years, particularly in the disability and aged care areas.

Consumers of aged care services, their families and representatives have the right to participate in decisions about the services they receive and have their views about a range of related issues heard. Some people find it difficult to speak for themselves. This might be due to a lack of confidence, intellectual impairment, difficulties with communication or from feeling intimidated by the situation. In such situations an advocate can support the person to express their views or where this is not feasible, to speak on their behalf.

What is the National Aged Care Advocacy Program (NACAP)?

The NACAP seeks to provide services that:

- assist consumers or potential consumers of Australian Government subsidised aged care services (Residential and Home Care) or their representatives to resolve problems or complaints in relation to aged care services through the provision of advocacy;
- support consumers of aged care services to be involved in decisions that affect their life;
- provide consumers or potential consumers of aged care services with information.
- discuss options about their rights and responsibilities; and
- promote the rights of people receiving aged care services to aged care service providers.

The Department of Social Services (DSS) administers the NACAP. Information can be obtained on the NACAP in [the NACAP Policy Guide](#).

Who delivers the NACAP?

The Australian Government funds nine (9) community-based organisations, one in each state, the Australian Capital Territory (ACT) and two (2) in the Northern Territory (NT) (Darwin and Alice Springs) to deliver NACAP services under the *Aged Care Act 1997*.

Who can access NACAP services?

- Recipients of Australian Government subsidised residential aged care, Home Care Packages or flexible care services;
- Potential recipients of Australian Government subsidised residential aged care services, Home Care Packages or Flexible Care Services; and
- Representatives or families of the above.

Are NACAP services completely confidential?

Yes. NACAP advocates work at the direction of the client (ie care recipient or family member). All matters are treated confidentially and information is only disclosed to other parties with the client's permission. NACAP services are required to comply with the [Privacy Act 1988 and Australian Privacy Principles](#).

Do you pay for NACAP services?

No. NACAP services are free. They are independent, confidential and consumer-focused.

How do I contact a NACAP service?

If you live in an Australian Government subsidised residential aged care home or receive Australian Government subsidised aged care services in your own home, and would like to speak to someone about your rights, you can contact one of the advocacy services (NACAP providers) located in your state or territory. Alternatively your representative, family member, carer or friend can contact a NACAP on your behalf.

You can call the National Aged Care Advocacy line on 1800 700 600 (please note the number may not be available from mobile phones) or visit the [DSS Advocacy Web Page](#) (<http://www.dss.gov.au/agedcareadvocacy>) for more information.

Further information can also be found by visiting the [My Aged Care website](#) (<http://www.myagedcare.gov.au/>) online or by calling My Aged Care on 1800 200 422.

Do NACAP services conduct information sessions?

Yes. NACAP providers conduct information sessions *on request* in Aged Care Homes for consumers and for Aged Care Service Providers (including Home Care Service Providers).

The NACAP in your state or territory can provide details of how a request for information services can be made.

The National Aged Care Advocacy Line is 1800 700 600. Please note that the number may not be available from mobile phones and in some capital cities.

What is the difference between the NACAP and the Aged Care Complaints Scheme (ACCS)?

NACAP providers are community-based organisations that provide independent, free and confidential advocacy to consumers to help them to protect, support and promote their rights. NACAP services can assist with issues or concerns such as catering, financial matters, hygiene, equipment, security, discrimination, choice, comfort and safety and other matters related to the responsibility of a service provider. As well as providing advocacy services and support, NACAP providers also work with the aged care industry to encourage policies and practices which protect consumers.

The Aged Care Complaints Scheme (ACCS) seeks to resolve complaints through investigation and, where appropriate, the implementation of remedial directives. ACCS services are free and anyone may raise concerns about the quality of care or services being delivered to people receiving aged care services subsidised by the Australian Government. This includes residents in residential aged

care homes, recipients of Home Care Packages and recipients of Home and Community Care (HACC) services.

Complaints can be made anonymously or confidentially, however, people are encouraged to openly lodge complaints as this gives the most flexibility in resolving their concerns. Complaints can relate to care, catering, financial matters, hygiene, equipment, security, discrimination, choice, comfort and safety or other matters related to the responsibilities of a service provider. Complaints that fall outside of the scope of the ACCS can be referred to other organisations, professional registration boards or other complaints bodies.

You can call the Aged Care Complaints Scheme on 1800 550 552 or visit the [ACCS website](#) for additional information, including Frequently Asked Questions (FAQs).

What are the benefits of contacting NACAP before contacting the ACCS?

Advocates support clients who have opted to pursue their complaint through the ACCS, helping them to put forward their views more clearly and to identify the outcomes that they are seeking. By involving advocacy early in the complaints process, advocates can often assist care recipients to have their concerns addressed by a service provider before it escalates into a more formal complaint process.

What training is undertaken by NACAP advocates?

NACAP providers employ staff who have appropriate qualifications, skills and experience to undertake the role they are primarily employed to deliver (i.e., advocacy, education and/or information).

NACAP providers provide orientation training to advocates encompassing some or all of the following:”

- an overview of the NACAP and the aged care system;
- the role of Advocates;
- the rights of aged care recipients, their carers and their families/representatives;
- duty of care;
- administration requirements associated with being an Advocate; and
- workplace health and safety issues (OHS) associated with visiting aged care services and clients’ personal homes.

Why are NACAP providers required to target services to special needs groups?

[The NACAP Policy Guide 2013-15](#) identifies that some older Australians with special needs find it difficult to access aged care information and services that are sensitive to their backgrounds, circumstances and specific care needs.

Aged care providers must ensure the specific needs and consumer preferences of special needs groups are embedded in the delivery of all services.

When should the NACAP Logo and Tag line be used?

The NACAP Logo is designed to be used on all publications related to the Program. Whenever the logo is used, the publication or promotional material should also feature the acknowledgement:

“This initiative is funded by the Australian Government Department of Social Services.”

Are Residential Aged Care Service Providers obliged to promote Advocacy services to residents?

[Section 23.14, User Rights Principles 1997](#), states that residents of aged care services must be provided with information to help them make informed choices about the level and quality of their care. When a new resident enters a residential aged care service or aged care home, the provider must give the resident information about residents’ rights and obligations as specified in the Charter, and the requirements of the *User Rights Principles 1997*.

It is generally accepted that the principle as quoted above incorporates an obligation on providers to provide information to consumers relating to advocacy support.

Are Home Care Package Service Providers obliged to promote Advocacy services to service users?

The Home Care Package Guidelines state that a new service user (and/or their representative) must be provided with information to assist them to make service choices. The Home Care Package Service Provider must provide service users with information to enable them to access complaints and advocacy information, and processes as their privacy and confidentiality and right to independence must be respected.

For more information on service user rights and responsibilities visit the [Home Care Packages website](#).

Can aged care service providers refuse to allow Advocates into their facility?

In accordance with the *User Rights Principles 1997*, managers of Australian Government subsidised aged care homes must ensure that care recipients, their families or their representatives are not prevented from contacting a NACAP organisation in seeking information, education or advocacy in relation to their aged care services.

Providers cannot refuse advocates entry into a residential aged care service or aged care home where the purpose of the visit is to provide advocacy support to any resident.

Do aged care service providers need to arrange a police check for NACAP Advocates who contact their care recipients?

No. NACAP organisations are required to maintain current police checks for all Advocates, which must be renewed every three years. Aged care service providers are not required to view the original police check.

Additional clarification regarding police check requirements can be obtained by emailing the [Police Check Inbox \(police.checks@dss.gov.au\)](mailto:police.checks@dss.gov.au).

Do aged care recipients have to disclose personal information, such as being part of a special needs group?

Aged care recipients are under no obligation to disclose personal information. Due to privacy provisions, aged care recipients and providers may not wish to disclose sensitive information such as being considered part of a special needs group. However, this information, where available, will help to assess the quality and appropriateness of NACAP service delivery.

What resources are available that provide information about NACAP?

- Information as written in these Frequently Asked Questions;
- NACAP Policy Guide 2013-15; and
- the [NACAP website](#).

Also visit the [My Aged Care website](#) or call MyAgedCare on 1800 200 422.

How does an organisation become a NACAP Organisation?

To become an advocacy service through the NACAP, organisations apply through a competitive funding process conducted by the Department of Social Services (DSS) towards the end of each funding period.

Information on funding processes is available on the [DSS website](#).

Why are there special needs groups identified in the *Aged Care Act 1997*?

Various population groups are recognised as 'Special Needs' groups under the *Aged Care Act 1997*. The special needs status encourages aged care providers to recognise different social, spiritual, cultural, psychological, physical, environmental and health care needs of individual care recipients. Under the *Aged Care Act 1997* these groups achieve priority access to community and residential aged care.

What if I have a complaint about the advocacy services provided by a NACAP provider?

NACAP providers are required to have an internal system for handling complaints. Information about the internal and external complaints processes must be readily available from NACAP providers. Complaints not resolved through the internal complaints process, or complainants who do not wish to use the internal process, can be referred to the NACAP external complaints process.

External complaints handling is managed by the NACAP Program Manager within the Department of Social Services.

The external complaints process is free of charge. Complaints will be dealt with equitably, objectively and in an unbiased manner. Confidentiality will be protected unless the complainant consents to disclosure of identifying information. However, the external complaints process does not provide for conciliation or mediation of disputes.

Complaints can be made writing to:

Department of Social Services
National Aged Care Advocacy Programme

MDP 511
PO Box 7576
Canberra Business Centre ACT 2610

Email: NACAP@dss.gov.au