2015 AGED CARE APPROVALS ROUND - ESSENTIAL GUIDE

CHAPTER 1 - INTRODUCTION
A. Purpose of this document
Thank you for your interest in the 2015 Aged Care Approvals Round (ACAR). This document provides interested applicants with information on the ACAR process and details on how to:

- complete the relevant application forms
- identify priority Aged Care Planning Regions, special needs, key issue(s) or geographic targeting, for applicants to consider when developing their applications.

B. How this 2015 ACAR Essential Guide is set out
This Guide is set out in six chapters available for download at www.dss.gov.au/2015ACAR. Applicants are required to certify that they have read the relevant chapters of the Guide prior to endorsing their application.

Applicants are required to certify that they are aware of their responsibilities prescribed in the Aged Care Act 1997 (the Act) and associated Aged Care Principles. The Act and associated Aged Care Principles are available at the following link.

Chapter 1 provides information about the process for the overall conduct of the ACAR. It also sets out what can be applied for, the method for doing so and the policy and legislative context of the ACAR.

Chapter 2 provides information about the application process for home care places.

Chapter 3 provides information about the application process for residential aged care places.

Chapter 4 provides information about the application process for a capital grant.

Chapter 5 provides information about the Rural, Regional and Other Special Needs Building Fund, and sets out the eligibility criteria for applying for a capital grant.

Chapter 6 contains the 2015 ACAR ‘Regional Distribution of Aged Care Places’, which provides the indicative number of residential aged care places and home care places that have been made available in each Aged Care Planning Region, within each state and territory. In addition, specific geographic locations, special needs groups and/or key issues that are a focus within each Aged Care Planning Region are identified.

Please note that Aged Care Planning Regions align with the Australian Standard Geographical Classification (ASGC) Statistical Area Level 2 (SA2) structure. Aged Care Planning Region maps, which include SA2 names and boundaries, can be accessed at the following link.

C. Aged care planning process
The 2015 ACAR enables new and existing approved providers of aged care to apply for new Australian Government funded aged care places, and/or financial assistance in the form of a capital grant. The ACAR operates in accordance with:

- Part 2.2 of the Act and Aged Care Principles - for residential aged care places and home care places
- Part 5 of the Act and the Aged Care Principles - for capital grants.

The broad objectives of the ACAR are to provide an open and clear planning process, and to identify and allocate places in a way that best meets the aged care needs of the community.
Each year, new aged care places are made available for allocation in each state and territory, having regard to the national planning benchmark, population projections provided by the Australian Bureau of Statistics, and the current level of service provision.

For the 2015 ACAR, a consultation process was undertaken with a broad range of aged care stakeholders to provide further insight into aged care needs within Aged Care Planning Regions.

The distribution of new places across Aged Care Planning Regions seeks to achieve a balance in the provision of services between metropolitan, regional, rural and remote areas, as well as between people needing different levels of care. The Department has indicated a number of geographic locations, special needs groups and key issues that are a focus in the 2015 ACAR (see Chapter 6 of the 2015 ACAR Essential Guide, ‘Regional Distribution of Aged Care Places’).

What is available in the 2015 ACAR
At the national level, applicants can apply for:

- 6,045 home care places, comprising Level 2, Level 3 and Level 4 places
- 10,940 residential aged care places
- up to $67 million in capital grants.

The number of places available in each state and territory, and the distribution of places across Aged Care Planning Regions, are detailed in Chapter 6 of the 2015 ACAR Essential Guide, ‘Regional Distribution of Aged Care Places’.

The Department does not guarantee that the exact number of places listed in the ‘Regional Distribution of Aged Care Places’ will be allocated to each region. The final allocation of places will reflect the best use of all of the available places, based upon the applications received and outcomes of the overall assessment process.

Applicants are encouraged to carefully consider the ‘Regional Distribution of Aged Care Places’ before completing an application. While the Department will accept applications for places in regions that are not identified, applicants are required to present a comprehensive, evidence-based proposal to support this need. The Department will prioritise those applications that address the identified need of an Aged Care Planning Region in the ‘Regional Distribution of Aged Care Places’.

Applying for home care places, residential aged care places and/or a capital grant

To apply for home care places - you must use the ‘Home Care Places’ application forms, completing Part A once for your organisation and Part B for each service in each Aged Care Planning Region where places are being sought. All potential applicants applying for home care places must read Chapter 2 of the 2015 ACAR Essential Guide.

To apply for residential aged care places – you must use the ‘Residential Aged Care Places’ application forms, completing Part A once for your organisation and Part B for each service for which you are seeking residential aged care places. All potential applicants applying for residential aged care places must read Chapter 3 of the 2015 ACAR Essential Guide.

To apply for both residential aged care places and a capital grant – you must use the ‘Residential Aged Care Places’ application form, completing Part A once for your organisation, Part B for each service for which you are seeking residential aged care places and Part C for each service where you are seeking a capital grant. ‘Part C – Capital Grant’ should be used when applying for new residential aged care places and also a capital grant for a service. For example, where an applicant seeks residential aged care places to build a new service and apply for a capital grant in the one application, Part A, Part B and Part C would be completed.
All potential applicants applying for residential aged care places and a capital grant must read Chapter 3 and Chapter 4 of the 2015 ACAR Essential Guide.

To apply for a capital grant only – you must use the ‘Residential Aged Care Places’ application form, completing Part A once for your organisation and Part C for each service where you are seeking a capital grant. All potential applicants applying for a capital grant must read Chapter 4 of the 2015 ACAR Essential Guide.

An application for places may be deemed invalid if the application is not submitted in accordance with the above requirements.

D. Closing date for applications and submission process
All applications for the 2015 ACAR MUST be received electronically in the Department on or before:

11:59pm (AEST) 25 September 2015.

Late applications: It is the sole responsibility of the applicant to ensure that the application is received by the closing date. An application that is received after the closing date may be regarded as invalid and not assessed.

Notification of any changes: Applicants should notify the Department in writing of any change that will significantly affect their capacity to implement their proposal, for example, financial capacity, costs of the project and availability of land. Notification should be made as soon as any such change becomes evident. This must be by email and sent to the same address used for the lodgement of your application.

Submission
Applications for places may be deemed invalid if the application is made using a form other than those available on the Department’s website for the 2015 ACAR. Applicants are not permitted to edit the application forms. If you are unable to complete and/or lodge the application forms provided, contact the ACAR Team for further advice at: acar@dss.gov.au.

Applicants are required to submit their application(s) and associated attachments via email to the following email address: acar@dss.gov.au on or before 11:59pm (AEST) 25 September 2015.

Please note that you may attach documents only where they are required or requested, and that other documents will not be considered in the assessment of your application.

Instructions for email submissions are provided below.

The Department will only accept paper applications in exceptional circumstances. Evidence to support this may be required. Please contact the ACAR Team for further advice at: acar@dss.gov.au.

Instructions for email submission
There are limitations on the size of emails that can be accepted by the Department. The Department cannot guarantee acceptance of emails over 12mb. Additionally, your Internet Service Provider (ISP) may impose limitations on the size of emails being sent.
In submitting an application via email you must follow the steps below:

1. Complete the application form. Save the application form in Microsoft Word as a ‘doc’ file.
2. Ensure the endorsement page in the Part A is signed as per the instructions set out in the relevant chapter of the Essential Guide. Electronic signature blocks can be used when completing your application. However, should you wish to hand sign or affix your company seal on the endorsement page you are able to send that page as a PDF. The rest of the completed application form should be submitted in the correct Microsoft Word ‘doc’ file format.
3. Email the completed application form and any associated attachments to acar@dss.gov.au. Your email should include your completed Part A, Part B(s), and where appropriate, Part C(s) as attachments.

Applicants intending to submit multiple applications are advised to clearly and consistently:
1. title each email
2. name each electronic file.

This will assist the Department to identify all related applications.

Example:
**Email title:** - [insert your organisation's and/or service name as provided in Part A/B] – 2015 ACAR Application

**File name:** - [insert your organisation’s and/or service name as provided in Part A/B] – Residential Application 2015 ACAR
- [insert your organisation’s and/or service name as provided in Part A/B/C] – Residential/Capital Application 2015 ACAR
- [insert your organisation’s and/or service name as provided in Part A/C] – Capital Application 2015 ACAR
- [insert your organisation’s and/or service name as provided in Part A/B] – Home Care Application 2015 ACAR

E. The Department’s assessment of each application

Any allocation of aged care places must meet the requirements of the Act and Principles. Specifically the Secretary must consider the following assessment criteria in deciding which proposals best meet the needs of each Aged Care Planning Region:

- whether the people who manage, or propose to manage, the aged care service have the necessary expertise and experience to do so
- if applicable, whether the premises used (or to be used) is suitably planned and located for the provision of aged care
- the ability of the applicant to provide the appropriate level of care
- if the applicant has been a provider of aged care - the applicant's conduct as a provider and compliance with their responsibilities
- if the applicant has relevant key personnel in common with a person who is or has been an approved provider - that person's conduct as a provider of aged care, and compliance with their responsibilities
- the measures that the applicant proposes to implement to protect the rights of care recipients, and for the provision of appropriate care for care recipients who are people with special needs
- whether, if the application is approved, the allocation will increase diversity of choice for current and future care recipients, and their carers and families, having regard to the different kinds of services offered in the region
- whether, if the application is approved, the service to which the application relates would be more likely to be able to offer continuity of care to current and future care recipients
• whether, if the application is approved, the places allocated are made operational in a timely manner
• any other matters deemed relevant by the Secretary.

The 2015 ACAR application forms are designed to ensure applicants provide information to assist the delegate of the Secretary to make a decision under section 14-1 of the Act. In assessing an application, the Department:
• will consider the applicant’s responses to each question in the application forms, as the response relates to each of the criteria identified above
• information provided by the applicant in the light of the requirements of:
  o the Act
  o the Aged Care Principles
  o information detailed in this 2015 ACAR Essential Guide
• may send your financial information for independent analysis
• may consider any other relevant information available to the Department including, but not limited to:
  o information through the prudential regulation process
  o information from the Aged Care Complaints Scheme
  o information from the Australian Aged Care Quality Agency
  o information from organisations able to undertake independent financial analysis and credit/debt investigations
  o information provided to the Department through other assessment processes. For example, any application to transfer, vary or exchange existing places.

The Department has the discretion to seek clarification or additional information from an applicant as part of the application assessment process. Any request for clarification is to allow consideration of your application and should not be taken as an indication of the likely outcome of your application.

There is no requirement for the Department to clarify any information. Please note, seeking clarification does not mean that further information will also be sought. The onus is on you to provide sufficient information in your application, and supporting documentation, to allow the Department to assess the application.

The information provided in your application (including any supporting documents) will form the basis of any subsequent conditions of allocation imposed in respect of the places in accordance with sections 14-5 and 14-6 of the Act. It is an approved provider’s responsibility to comply with any conditions of allocation.

Assessing past conduct in respect of applications for residential aged care places and home care places
As part of the assessment process, the Department will take into account previous and current non-compliance issues (including, but not limited to, sanctions and notices of non-compliance), at any service operated by the approved provider. Non-compliance will be considered in relation to any service operated by any related approved provider entity, and/or where a service has common personnel with related or other approved provider entities.

Matters for consideration in determining an applicant’s record of conduct include, but are not limited to:
• the nature of any sanctions and/or non-compliance action
• when the sanction was imposed and/or non-compliance action taken
• the frequency of any sanctions and/or non-compliance action
• the timing and effectiveness of the response to the sanctions and/or non-compliance action
• the extent of the sanctions and/or non-compliance action across other services operated by the approved provider, or services operated by related approved provider entities
• the current period of accreditation, particularly in respect of any service(s) in which places are sought
- any past history in meeting prescribed conditions of allocation (including proven performance in making places operational in a timely manner)
- any combination of these matters.

A poor record of past conduct as an approved provider may adversely impact upon the competitiveness of your application(s).

If you are not an approved provider, this does not disadvantage your application. Non-approved providers must complete an approved provider application, and be granted approved provider status, before any allocation of places to your organisation can be made operational. The approved provider form contains questions to enable the Department to make an assessment on your suitability to act as an approved provider of aged care services. The approved provider form can be accessed at the following webpage link: Approved Provider Information.

Applicants applying for a capital grant should refer to Chapter 4 of the 2015 ACAR Essential Guide regarding past conduct.

**Financial assessments in respect of applications for residential aged care places and/or capital grants**

Financial information underpins a number of legislative criteria against which applications are assessed, including:

- viability of the approved provider and their service(s)
- continuity of care for current and future care recipients
- measures to protect the rights of care recipients (particularly in relation to accommodation bonds/refundable accommodation deposits and refundable accommodation contributions)
- for services where new construction is required, making places operational in a timely manner.

A financial analysis is an important element in the overall assessment process and will be used to assist in determining:

- the financial viability, sustainability and overall robustness of the applicant’s organisation and service(s) finances
- the ability of the applicant organisation to provide continuity of care in the long term
- sensitivity of the applicant organisation’s debt service capacity to interest rate fluctuations
- the applicant organisation’s use of accommodation bonds, proposed use of refundable accommodation deposits and refundable accommodation contributions, and access to other sources of funding
- the capacity of the applicant organisation to complete any capital works associated with their overall proposal.

In addition, applicants with complex corporate structures need to provide sufficient information to demonstrate that your organisation’s inter-related entities have sufficient financial robustness and the ability to meet relevant legislative provisions.

**Assessment of an applicant’s capacity to make places operational in a timely manner**

All applicants are required to demonstrate that the places being sought in the 2015 ACAR will be made operational as quickly as possible. Particular regard will be given to:

- the key milestones detailed in your application(s)
- the responses and documentation provided to support these milestones
- any past record of making places operational in a timely manner.

**Word limits**
Where applicable, applicants are strongly encouraged to respond to questions within the prescribed word limits in a clear and concise manner. Responses exceeding the prescribed word limits may not be considered in full during the assessment process. To count words in each response, simply select the text and refer to the status bar at the bottom of the workspace. If you don’t see a word count in the status bar, right-click the status bar and then click ‘Word Count’.

F. The allocation of places
The final allocation of places will seek to provide a balanced outcome that addresses, as far as practicable, all of the elements that are a particular focus in the 2015 ACAR.

Applicants should be aware that for Aged Care Planning Regions attracting a large number of applications, it is possible that suitable applicants may be unable to secure an allocation of places because of the level of competition for a defined number of places. In addition, applicants should not assume that previous ACAR outcomes will automatically ensure success (or failure) in the 2015 ACAR.

A summary of outcomes from the 2014 ACAR including places allocated, applications received, and places sought by state/territory, by Aged Care Planning Region, and by care type, can be accessed on the Department’s website at: 2014 ACAR results.

Approved provider status
Allocations of places and/or capital grants can be made only to organisations approved under the Act. Organisations which need to make an application for approved provider status in connection with an application for places and/or a capital grant in 2015 should submit their approved provider applications as soon as possible and preferably before submitting applications for aged care places. Information on applying for approved provider status is included in the Application Kit.

G. Announcing the results of the 2015 ACAR
It is expected that the results of the 2015 ACAR will be announced from late March 2016. Details of the allocations made to successful applicants will be made available on the Department’s website.

All applicants will receive initial written advice about the outcome of any application for home care places, residential aged care places and/or capital grants. Successful applicants will receive additional written advice from their state/territory Departmental office about any related conditions of allocation following notification of 2015 ACAR outcomes. Successful applicants cannot commence providing care through these places until this formal advice is received from the Department.

H. Feedback process
Following the announcement of the 2015 ACAR outcomes, the Department will provide generic feedback on its website. This document will provide general information on how applications could have been strengthened by suggesting areas of improvement against each assessment criterion. This information will not provide specific information regarding individual applications.

In addition, unsuccessful applicants will be provided with the opportunity to request specific written feedback following a registration period. If you have more than one unsuccessful application in the 2015 ACAR, feedback will be provided for each care type (that is, residential aged care places or home care places) drawing on examples from your unsuccessful applications. In addition, unsuccessful applicants for a capital grant will also receive separate written advice about their unsuccessful application(s).

Applicants should note that once the registration period for individual feedback closes, the Department will not accept any further requests for feedback.
I. Other matters

Advice from the Department
Applicants must refer to the instructions in Chapters 2 – 6 of the 2015 ACAR Essential Guide for assistance in completing your application. The Department cannot provide individual assistance in developing your application: Departmental officers may advise on matters of fact or technical issues related to the completion or submission of an application. Departmental officers will not comment the content of your proposal or application until the conclusion of the allocation process and the commencement of the feedback process nor comment on the merits of particular applications or proposals.

Conflict of Interest
Strict probity and ethics guidelines govern the assessment of the 2015 ACAR applications. These guidelines are in accordance with the APS Code of Conduct (described in section 13 of the Public Service Act 1999) that requires “an APS employee must disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS employment”. Providers of any advice external to the Department on matters associated with the ACAR will be bound by the same requirements.

Confidentiality and Protection of Personal Information
The Invitation to Apply for aged care places or a capital grant is made under the Act. All information provided by applicants is protected information under section 86 of the Act.

Review of decisions
The final decision about the allocation of places is made under section 14-1 of the Act by the delegate of the Secretary of the Department. This is not a reviewable decision under the Act.

False or misleading information
Applicants should be aware that giving false or misleading information is a serious offence. An approval based on false or misleading information may later be revoked.

Your application may be deemed invalid should the Department identify false or misleading information in your application(s).

Contractual arrangements
An application is not evidence of a contract or other form of legal agreement. Applicants who enter into contractual arrangements with other parties, before being advised in writing of the results of the application process, do so at their own risk.

Conditions of allocation
Conditions will be imposed on the allocation of new places. The Act stipulates a number of mandatory conditions and gives the Secretary the authority to determine other conditions specific to each allocation of places. If your application is successful, the conditions of allocation will be imposed to reflect the details provided in your application(s). Details of successful applicants targeting special needs group(s) will be published together with the results of the 2015 ACAR on the Department’s website.

Existing conditions of allocation/transfer of places
Applicants seeking to vary their current conditions of allocation or to transfer places may apply to the Department at any time. These matters are not linked to the 2015 ACAR process, although a transfer of places may form part of your overall proposal.

Applications used for other purposes
Information contained in an application submitted in the 2015 ACAR may be considered as part of the assessment of applications in other processes.
Further information
Additional resources are available on the Department’s website. Included in these additional resources is ‘An overview to improve aged care services for your community - Building capacity for the emerging aged care needs of culturally and linguistically diverse communities’ and ‘A guide to improve aged care services for your community - Building capacity for the emerging aged care needs of culturally and linguistically diverse communities’. Applicants from culturally and linguistically diverse backgrounds may find this information useful when applying in the 2015 ACAR. These resources are available at the following link.

Applicants may also find it useful to refer to the Guide to Aged Care Law available at the following link.

Questions and Answers which provide additional information can also be found at www.dss.gov.au/2015ACAR. As necessary, these will be updated between 15 August 2015 (the date of the Invitation to Apply) and 18 September 2015 (one week before the closing date for applications, 11:59 pm (AEST) 25 September 2015).

Applicants requiring additional information must put their queries concerning the 2015 ACAR in writing to the Department at acar@dss.gov.au.

The Department is required to ensure that all potential applicants are treated in a fair and equitable manner, and that no unfair advantage is given to any one applicant.

The Department may provide advice on matters of fact and technical issues related to the completion or submission of your application. If you have any questions of this nature please email them to the contact officer at acar@dss.gov.au.

Please note, the Department cannot provide advice to applicants about their application, business strategy and eligibility during the application period.