



Resolving concerns about aged care

This fact sheet explains the options and possible outcomes available to the Aged Care Complaints Scheme to examine and resolve concerns.

The Aged Care Complaints Scheme (the Scheme) provides a free service for anyone to raise their concerns about the quality of care or services being delivered to people receiving aged care services subsidised by the Australian Government, including residential care, Home Care Packages and Commonwealth funded HACC services.

If you have a concern about the care you or someone else is receiving, it is important that you talk about it. Complaints can help service providers improve the quality of care and services they provide to you or your loved one, so one complaint can help other people.

We encourage you to raise concerns with the service provider. This can achieve a fast and sustainable result through building relationships between all parties. If you are unable to resolve your concern with the service provider or do not wish to raise it with them you can contact the Scheme.

Our goal is to help you resolve your concern and achieve a positive outcome for the care recipient. Please provide as much relevant information as you can, as early as you can, so we understand all the issues. Be specific and tell us what outcome you would like to see.

We can examine complaints relating to a service provider's responsibilities under the *Aged Care Act 1997* (the Act) or Commonwealth HACC provider's obligations under their funding agreement with the Australian Government. The Australian Government funds HACC in all states and territories except Victoria and Western Australia. Concerns we are able to look into may be about care, choice of activities, discrimination, catering, communication or the physical environment.

If you don't feel comfortable raising a concern on your own, an advocate can support you at any stage during the complaint process. You can call the National Aged Care Advocacy Line on **1800 700 600**. Advocacy is free, independent and confidential.

We can support you to resolve concerns with the service provider

When you first contact us, we may try to resolve your concern quickly with the service provider. We call this early resolution. We support you by:

- helping you to clarify the issues in your complaint
- phoning the service provider on your behalf to discuss the issues
- advising you and the service provider of both parties' rights and responsibilities.



To help achieve a positive outcome, provide as much information as you can and tell us what outcome you would like to see.



The service provider isn't required to tell the Scheme what action they took to address your concern. Early resolution is an informal option so there are no review rights. However, you can contact the Scheme again if you are not satisfied.

How do we resolve concerns?

If early resolution is not possible, we can work towards resolving your concerns using the following different approaches:

Service provider resolution: We can ask the service provider to examine your concern within a set timeframe and work with you to achieve an outcome. We will check whether you are happy with the outcome as part of the process.

Conciliation: We can help you and the service provider to discuss the issues and reach an agreement that resolves your concern. This may involve phone calls, discussions and meetings.

Investigation: Investigations can involve gathering information, discussing the issues with both parties, visiting the service, analysing records and conducting interviews.

Mediation: If we are unable to achieve the outcome you are seeking, we may suggest that you and the service provider engage an independent mediator. We are not involved in the mediation and there would be a cost involved, which both parties would need to discuss and agree upon.

We will consult you regularly throughout the complaint resolution and may:

- consult clinical or technical professionals
- ask for and review information from you, the service provider or other people
- conduct a planned or unannounced visit to an aged care facility
- interview relevant parties, including the care recipient where possible
- refer an issue to another organisation that can more appropriately deal with it.

Resolution outcomes

We will advise you and the service provider of the outcome via letter at the end of the resolution process. We may be able to achieve any of the following outcomes:

Agreement: You and the service provider both agree that your concerns have been addressed and the issues resolved.

Addressed: We are satisfied that the service provider has addressed the issue.

Direction issued: A Direction requires the service provider to demonstrate how they have met or will meet their responsibilities under the Act or their funding agreement.

Compliance action: The Department of Social Services may take compliance action where a service provider fails to meet their responsibilities under the Act.

No further action: In a small number of cases, we may take no further action. For example, we may not take action if the matter is subject to legal proceedings or a coronial inquiry, or if the care recipient does not want the complaint to be examined.

If you are not satisfied with an outcome, you have review rights.

Visit agedcarecomplaints.govspace.gov.au or call us on **1800 550 552*** to find out more.



Aged Care Complaints Scheme

Phone 1800 550 552*

Write

Aged Care
Complaints Scheme
Department of
Social Services
GPO Box 9820
In your capital city

Online

agedcarecomplaints.govspace.gov.au

All information in this publication is correct as at June 2014.

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* 1800 calls are free from fixed lines; however calls from mobiles may be charged.