



# Your review rights

## This fact sheet outlines options to seek review of the Aged Care Complaints Scheme's decisions or process.

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. These include residential care, Home Care Packages and Commonwealth funded Home and Community Care (HACC) services (in all states and territories except Western Australia and Victoria).

In examining complaints, we aim to work with all parties to achieve a positive outcome for the care recipient. The ability to seek a review helps us to address any concerns you may have about our work. If you are not satisfied at any stage of the complaint process, please raise this directly with us so we can improve our service. Feedback also helps us to improve the administration of the Scheme.

### Who can ask for a review?

Service providers and complainants can ask for a review of our decision. They can also provide feedback on or seek examination of our complaint process.

However, review rights are not available to people in certain circumstances. Review rights are not available to people who complain anonymously.

Sometimes when you first contact us we may try to resolve your concern quickly with the service provider, rather than starting a formal resolution process. We call this early resolution. Early resolution is an informal option, so there are no review rights. However, you can contact the Scheme again if you are not satisfied. We can explain these exceptions when you contact us.

### How can you request a review?

If you are not satisfied with our decision after we have completed the complaints resolution process, you can ask us to reconsider it. You must do this within 28 days of receiving our decision letter. Your request must state the reasons why you are asking us to reconsider the decision.

### What do we do with your review request?

When you request a review we will either undertake a new resolution process or confirm the original decision. We will tell you our decision within 28 days of receiving your application. If we undertake a new resolution process, we will notify both parties to the complaint and work with both parties throughout the new resolution process. A new process may take an additional 28 days to complete. If you are still not satisfied with our revised decision we are not permitted to conduct another review. You can lodge a review with the Aged Care Commissioner or the Commonwealth Ombudsman.



You can provide feedback to us any time about our service, decisions or process.



## Independent review of Scheme decisions

### Seeking a review with the Aged Care Commissioner

Complainants and service providers can seek an independent review of our decisions and complaints processes through the **Aged Care Commissioner** (the Commissioner).

Your request must be made within 28 days of receiving our decision letter and you must state the reasons why you are seeking a review by the Commissioner.

The Commissioner will let you know within 14 days whether your request will be examined. The Commissioner has 60 days to conduct the review.

From 1 August 2013, amendments to the Complaints Principles 2011 have strengthened the role of the Commissioner. The Commissioner is now able to direct the Scheme to undertake a new resolution process, taking into account the Commissioner's views.

Following a review by the Commissioner, if we conduct a second resolution process there are no further rights to seek review by either the Commissioner or us, except in specific circumstances that we can explain to you.

To see a flowchart that visualises this process, go to **agedcarecomplaints.govspace.gov.au** and search for 'review rights'.

### Review of complaints process

You can also ask the Commissioner to look at our complaints process. If you have a concern about our process, you must raise it with the Commissioner **within 12 months** of completion of the process. A review of our complaints process cannot re-open or change the outcome of your complaint but it can lead us to improve our processes.

Contact the Commissioner by:

- Calling **1800 500 294**
- Going to [agedcarecommissioner.net.au](http://agedcarecommissioner.net.au)
- Emailing: [complaints@agedcarecommissioner.net.au](mailto:complaints@agedcarecommissioner.net.au)
- Writing:  
Aged Care Commissioner  
Locked Bag 3  
Collins Street East, Victoria 8003

### Seeking a review by the Commonwealth Ombudsman

The Commonwealth Ombudsman can review complaint decisions made by the Scheme and the Commissioner. If you are not satisfied with an outcome offered by the Commissioner, you can contact the Ombudsman's office via the website **ombudsman.gov.au** or by phoning **1300 362 072**.

### HACC complaint review rights

If you have made a complaint to the Scheme about Commonwealth HACC services, you also have the right to raise concerns about the complaints process or the decision with the Scheme. See 'How can you request a review?' and 'What do we do with your review request?' for more details.

Independent review of a HACC complaint process or decision can also be sought through the Commonwealth Ombudsman.

The Scheme's handling of complaints about Commonwealth HACC services is not examinable by the Aged Care Commissioner.

Contact the Commissioner by:

- Phone** 1300 362 072 (calls from mobile phones charged at mobile phone rates)
- Web** [www.ombudsman.gov.au](http://www.ombudsman.gov.au)
- Email** [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)
- Fax** 02 6276 0123
- SMS** 0413 COM OMB (0413 266 662) (standard carrier rates apply)
- Post** GPO Box 442, Canberra ACT 2601



## 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**

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