



What is a Direction of the Aged Care Complaints Scheme?

This fact sheet explains what a Direction is and when a Direction can be issued to a service provider.

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 HACC services.

We examine complaints relating to a service provider's responsibilities under the *Aged Care Act 1997* (the Act) and the Aged Care funding agreement for Commonwealth HACC service providers.

We encourage and support people to raise their concern with the service provider first because this can achieve a fast and sustainable outcome. If that approach is not possible, we can examine a person's concern. Approaches range from those that are simple, relatively quick and informal, to more formal and lengthy processes.

Aged care providers who receive funding from the Australian Government are called 'service providers'. A 'complainant' is the person who lodges a complaint with the Scheme. These terms are used throughout this fact sheet.

What is a Direction?

If we are not satisfied that a service provider is meeting its responsibilities under the Act or its Commonwealth funding agreement, in regards to a complainant's concerns, we can issue a Direction.

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

We may inform the service provider of our intention to issue a Direction. This allows the service provider to:

- outline how they have already addressed the issues (in which case we may finalise the complaint and decide not to issue a Direction)



A Direction is an opportunity for the service provider to show how they have met their responsibilities under the Act or under the Commonwealth funding agreement.



- take immediate steps to address the issues and meet their responsibilities.

A Direction is an opportunity for the service provider to show how they have met their responsibilities under the Act or their Commonwealth funding agreement.

If the service provider takes immediate steps after we tell them that we intend to issue a Direction, we may take no further action.

If the service provider proposes to take action or does not respond within the required timeframes, we will issue the Direction. We will then monitor the Direction to ensure the service provider implements the actions they or we have outlined.

Issuing a Direction

A Direction is issued in writing and outlines what the service provider must do, in what timeframes, to address the issues of the complainant and meet their responsibilities.

We will monitor and enforce the Direction to ensure the service provider implements the required actions.

A Direction is **not** a Notice of Non-Compliance. We may refer a matter to the Department of Social Services' compliance area for compliance action if we are concerned the service provider has not complied with or is not complying with its responsibilities under Parts 4.1 to 4.3 of the Act or a service provider's funding agreement with the Commonwealth.

Your review rights

The ability to seek a review helps us to address any concerns you may have about our work. Your feedback also helps to improve the administration of the Scheme. We encourage you to contact us if you are not satisfied at any stage of the complaint or would like to provide feedback. Call **1800 550 552*** and ask to speak to the complaints manager in your state or territory.

You can ask the Aged Care Commissioner (the Commissioner) to examine our process for handling your complaint (within 12 months of completion of the process) or examine our decision (within 28 days of receiving our letter outlining this decision). To find out more or to lodge a request, call **1800 500 294*** or visit the Commissioner's website at **agedcarecommissioner.net.au**



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.