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Performance Report

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**Commission ID:** 1039

**Provider name:** RSL LifeCare Limited

**Assessment Contact - Site date:** 5 June 2020

**Date of Performance Report:** 7 July 2020

# Publication of report

This Performance Report **may be published** on the Aged Care Quality and Safety Commission’s website under the Aged Care Quality and Safety Commission Rules 2018.

# Overall assessment of this Service

|  |  |
| --- | --- |
| **Standard 1 Consumer dignity and choice** |  |
| Requirement 1(3)(d) | Compliant |
| **Standard 8 Organisational governance** |  |
| Requirement 8(3)(d) | Non-compliant |

# Detailed assessment

This performance report details the Commission’s assessment of the provider’s performance, in relation to the service, against the Aged Care Quality Standards (Quality Standards). The Quality Standard and requirements are assessed as either compliant or non-compliant at the Standard and requirement level where applicable.

The report also specifies areas in which improvements must be made to ensure the Quality Standards are complied with.

The following information has been taken into account in developing this performance report:

* the Assessment Team’s report for the Assessment Contact - Site; the Assessment Contact - Site report was informed by a site assessment, observations at the service, review of documents and interviews with staff, consumers/representatives and others.
* the provider’s response to the Assessment Contact - Site report received 26 June 2020.

# STANDARD 1 COMPLIANTConsumer dignity and choice

### Consumer outcome:

1. I am treated with dignity and respect, and can maintain my identity. I can make informed choices about my care and services, and live the life I choose.

### Organisation statement:

1. The organisation:
2. has a culture of inclusion and respect for consumers; and
3. supports consumers to exercise choice and independence; and
4. respects consumers’ privacy.

## Assessment of Standard 1

The Assessment Team did not assess all requirements and therefore an overall rating for the Quality Standard is not provided.

The assessment team found the service has not demonstrated that it is supporting consumers to take risks to enable them to live the best life they can. The strict visitation processes in place due to Covid-19 have meant some consumers representatives have been very dissatisfied about their access to the service. Issues or complaints raised about this has not brought about changes.

I have considered both the information gathered by the assessment team and the response to the assessment team’s report from the approved provider and find that Requirement 1(3)(d) is compliant as outlined below.

## Assessment of Standard 1 Requirements

### Requirement 1(3)(d) Compliant

*Each consumer is supported to take risks to enable them to live the best life they can.*

To maintain consumer health and safety the organisation imposed lockdown as there was a positive case of Covid-19 within a 20km radius of the service.

The assessment team found that the service has not demonstrated that it is supporting consumers to take risks to enable them to live the best life they can. Strict visitation processes in place have meant consumers have not had sufficient access to support from family and friends. Issues or complaints raised about this has not brought about changes. The assessment team found that complaints from consumer representatives regarding health concerns and access to their family member during the period of lockdown had not been actioned or resolved adequately. However, the response from the approved provider demonstrated that they were aware of the concerns by a number of consumer representatives about the visitor restrictions in place during the lockdown and were responding to these in a timely manner. Initiatives were introduced to allow consumers to keep in touch with family, albeit slowly.

I note that the assessment team found, and the approved provider affirmed in their response, that visitor restrictions were eased for consumers required to go to medical appointments with family members, those requiring very frequent visits by family to manage an emerging health concern, those with family members who lived a long distance away and those who were palliating. On balance, I find that consumers were supported to take risks to enable them to live the best life they can.

The approved provider does comply with this requirement as each consumer is supported to take risks to enable them to live the best life they can.

The assessment team found, and it was confirmed in information submitted by the approved provider, that there was considerable frustration felt by some consumer representatives about the visitor restrictions in place. There is evidence that these were iniquitously applied, and that consumers were not supported to live the best life they can during the Covid-19 lockdown as alternatives to family visits such as the use of ipads and other supports were not introduced at an early stage. I will deal with this issue in Requirement 8(3)(d).

# STANDARD 8 NON-COMPLIANTOrganisational governance

### Consumer outcome:

1. I am confident the organisation is well run. I can partner in improving the delivery of care and services.

### Organisation statement:

1. The organisation’s governing body is accountable for the delivery of safe and quality care and services.

## Assessment of Standard 8

The Assessment Team did not assess all requirements and therefore an overall rating for the Quality Standard is not provided.

Effective risk management systems and practices are not always sustained. Issues identified include deficits in identifying and responding to abuse and neglect of consumers and supporting consumers to live the best life they can.

Management have not always identified and/or respond to allegations of abuse and neglect of consumers. An allegation of rough handling has not been investigated or reported according to legislative requirements. Management do not appear to understand their reporting obligations. Management acknowledge there has been an increase in unexplained bruising of consumers.

Consumers are not always supported to live the best life they can. There has been considerable dissatisfaction with the organisation’s approach to the COVID-19 lockdown.

## Assessment of Standard 8 Requirements

### Requirement 8(3)(d) Non-compliant

*Effective risk management systems and practices, including but not limited to the following:*

1. *managing high impact or high prevalence risks associated with the care of consumers;*
2. *identifying and responding to abuse and neglect of consumers;*
3. *supporting consumers to live the best life they can.*

Management have not always identified and/or respond to allegations of abuse and neglect of consumers. An allegation of rough handling has not been investigated or reported according to legislative requirements. Management do not appear to understand their reporting obligations. In their response to the assessment team’s report the approved provider stated that further training had been undertaken with staff regarding their compulsory reporting responsibilities.

Management acknowledge there has been an increase in unexplained bruising of consumers. The approved provider, in their response to the assessment team’s report, stated that the organisation has undertaken training with staff to reduce the incidences of bruising.

Consumers are not always supported to live the best life they can. There has been considerable dissatisfaction with the organisation’s approach to the COVID-19 lockdown. Although consumers and representatives want a vulnerable population protected there was feedback about the negative impact the ongoing lock down has had on consumers. The assessment team found, and it was confirmed in information submitted by the approved provider, that there was considerable frustration felt by some consumer representatives about the visitor restrictions in place. There is evidence that these were iniquitously applied causing dissatisfaction amongst consumer representatives. Consumers were not supported to live the best life they can during the lockdown as alternatives to family visits such as the use of ipads and other supports were not introduced at an early stage. Ipads only arrived in May 2020, two months after the lockdown began. Prior to this phones were in use which were too small for consumers to use. For some consumer representatives improved access to their family member through window visits was only introduced after they made a complaint.

In relation to managing high impact or high prevalence risks associated with the care of consumers, deficits were found in the practices, knowledge and skills of staff regarding management of Covid-19. For example; Management was unable to explain why some consumers have been isolated for two to three days when incubation of COVID-19 is known to be 14 days; staff were not maintaining social distancing in lifts and TAFE students, who are non-essential to the operation of the service, were still attending. Appropriate risk assessments had not been conducted to identify the most vulnerable of consumers and staff in the event of an outbreak and cleaning processes were not adequate in high traffic areas like lifts.

The approved provider does not comply with this requirement as does not have effective risk management systems and practices, including but not limited to the following:

1. managing high impact or high prevalence risks associated with the care of consumers;
2. identifying and responding to abuse and neglect of consumers;
3. supporting consumers to live the best life they can.

# Areas for improvement

Areas have been identified in which improvements must be made to ensure compliance with the Quality Standards. This is based on non-compliance with the Quality Standards as described in this performance report.

Ensure effective risk management systems and practices, including but not limited to the following:

1. *managing high impact or high prevalence risks associated with the care of consumers;*
2. *identifying and responding to abuse and neglect of consumers;*
3. *supporting consumers to live the best life they can.*

by ensuring

* practices, knowledge and skills of staff regarding management of Covid-19 are current and evidence based
* staff understand their compulsory reporting responsibilities and compulsory reports are made in accordance with the requirements
* Staff practices support the maintenance of skin integrity and
* consumers are supported to live the best life they can with suitable access to their representatives, family and friends.