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MEDIA RELEASE

Statement attributable to Ms Janet Anderson PSM, Aged Care Quality and Safety Commissioner

The Federal Government has announced its intention to establish a Serious Incident Response Scheme (SIRS) in the aged care sector in early 2021 to help reduce incidents of abuse and neglect in Australian Government subsidised residential aged care services.

Subject to parliamentary processes, from 1 April 2021 the current compulsory reporting requirements in residential aged care will be replaced by SIRS. The legislation to support SIRS was introduced in [parliament in late 2020](#).

The Aged Care Quality and Safety Commission (Commission) will be responsible for administering the new scheme, and is being given additional resources for this purpose.

Under existing arrangements, aged care providers are required to report suspicions or allegations of unreasonable use of force or unlawful sexual contact with an aged care resident (with some exceptions). The SIRS will require providers to report a broader range of incidents to the Commission, and to have effective systems and processes in place to minimise and manage these incidents.

Other reportable incidents under the scheme will include neglect, psychological and emotional abuse, and inappropriate use of physical or chemical restraint. Incidents of abuse and aggression between consumers will be in scope for reporting, including where the resident who is alleged or suspected of having committed, or actually commits, the incident has a cognitive or mental impairment.

Providers are expected to have an effective incident management system in place to reduce serious injuries and other incidents, and preventable deaths. An incident management system is a set of processes and procedures used to manage and respond to incidents. This system should support an aged care provider and their staff to take action when there is an alleged, suspected or witnessed incident. These actions include:

- identification and immediate internal reporting of the allegation, suspicion or witnessed incident
- action to remove consumer/s from harm and to reduce or address the impact on any consumer/s
- documenting the incident
- further investigation if warranted
- reporting to external authorities within statutory timeframes, including the police and the Commission.

The objective of SIRS is to strengthen aged care providers' capability to minimise the risk of serious incidents occurring, and to respond promptly and effectively if they do.

The Commission will use the reports it receives to identify key risks in residential aged care and to reflect this information back to the aged care sector in order that providers can learn from it and improve the quality and safety of their services. The Commission will also use the SIRS reports as intelligence to inform our regulatory decisions and actions in relation to particular providers.

The SIRS will sit alongside other legislated compliance requirements for providers, including the Aged Care Quality Standards and the Charter of Aged Care Rights. The Commissioner has urged all residential aged care providers to act now to review and strengthen their existing incident management system in the lead-up to the new scheme. Please see the [Aged Care Quality Bulletin # 24 December 2020](#) for further information.

The *2019-20 Report on the Operation of the Aged Care Act 1997* indicates that during the 2019–20 financial year there were 5,718 notifications (5,233 in 2018-19) of reportable assaults as defined in the Act. Of those 4,867 (4,443 in 2018-19) were recorded as alleged or suspected unreasonable use of force, 816 (739 in 2018-19) as alleged or suspected unlawful sexual contact, and 35 (51 in 2018-19) as both.

Further information on SIRS can be found on the Commission's website at:
<https://www.agedcarequality.gov.au/sirs>

The Commission is the national regulator of all Commonwealth Government funded aged care services. On 1 January 2020, responsibility for overseeing provider obligations in relation to reportable assaults transferred from the Commonwealth Department of Health to the Commission. Under the Aged Care Act 1997, approved providers of residential aged care services are required to report suspicions or allegations of reportable assaults (that is, unreasonable use of force or unlawful sexual contact) at their services within 24 hours to local police and the Commission.

In addition to administering the compulsory reporting requirements which are soon to be replaced by the SIRS, the Commission manages all complaints received about aged care services. If anyone has a concern about an aged care service, complaints can be made via the Commission's website www.agedcarequality.gov.au or by calling 1800 951 822.

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