



Newmarch House

Statement from Ms Janet Anderson PSM, Commissioner

23 June 2020

“As the national regulator of Commonwealth subsidised aged care services, the Aged Care Quality and Safety Commission has been acutely aware of the health risk posed by COVID-19 to older Australians.

During the pandemic, we have used our broad range of regulatory functions to help manage risks to consumers and monitor the performance of aged care providers. We have also partnered with public health responders to support the management of suspected and confirmed outbreaks of COVID-19 at aged care services.

Since the beginning of the COVID-19 outbreak at Newmarch House on 12 April 2020, the Commission has been actively engaged with Anglican Community Services (the approved provider of the service) and the Newmarch House management to monitor and support the provider to meet their obligations under the Aged Care Quality Standards. This has involved daily contact with Newmarch House management through a small interagency forum with health authorities established to coordinate respective roles.

The Commission has taken a series of graduated regulatory actions with Anglican Community Services in response to escalating concerns about the seriousness of the outbreak, the provider’s response, and complaints from consumers and families about the information available to them and the safety and quality of care at the service.

Regulatory actions taken by the Commission to date comprise:

- 23 April 2020: issuing an administrative direction followed by a Non-compliance Notice on 3 May 2020.
- 6 May 2020: issuing a Notice of Requirement to Agree to Certain Matters and Consideration of Sanctions (under section 63U *ACQSC Act*).
 - The Notice referred to breaches of Aged Care Quality Standards 1, 2, 3 and 8 and a finding of immediate and severe risk as a result of failure to take appropriate action. The Notice required the approved provider to appoint an independent adviser (Mr Andrew Kinkade) to support the effective management of the outbreak with no new care recipients to be appointed to the service for the period of the requirement.
 - The approved provider agreed to the requirements on 7 May 2020.

Mr Kinkade commenced his appointment as independent adviser on Friday 8 May 2020 and has played an instrumental role in strengthening Newmarch House’s response to the outbreak. His knowledge, expertise and experience have been pivotal in driving improvements in the operation of the service.

I wrote to the families of Newmarch House residents on 7 May 2020, 22 May 2020 and 19 June 2020 to keep them informed about the regulatory actions and what they mean. I also met with families of Newmarch House via a webinar hosted by OPAN on 12 May 2020 to explain the Commission’s regulatory actions and to hear directly from families about their concerns.

On 15 May 2020, representatives from the Commission and Commonwealth Department of



Health undertook a site visit to Newmarch House. On 2 June 2020 I met with the Board of Anglican Community Services to discuss the approved provider's management of the Newmarch outbreak and the Commission's regulatory actions.

Following the official declaration on 15 June 2020 by NSW Health that the outbreak at Newmarch House was over, the Commission determined that Mr Kinkade would finalise his work as independent adviser in the week commencing 29 June 2020. This information was communicated to Anglican Community Services and to Newmarch residents and families on 19 and 20 June 2020.

The Commission continues to closely monitor the care and well-being of residents at Newmarch House and to receive daily reports from Anglican Community Services in response to our most recent regulatory action.

If anyone has a concern about the care of people at an aged care service, complaints can be made via the Commission's website www.agedcarequality.gov.au or by calling [1800 951 822](tel:1800951822)."

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