



Australian Government

Aged Care Quality and Safety Commission

A new regulatory strategy for aged care

ACQSC Sector Webinar

16 July 2024





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Acknowledgement of Country

Artwork by Dreamtime Creative





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Regulatory Strategy 2024 -25

Lisa Peterson
Deputy Commissioner
Sector Capability and Regulatory
Strategy



What is the Regulatory Strategy?

- Our Regulatory Strategy sets out how the Commission will deliver on our goals and commitments.
- It speaks to how we will hold provider and workers to account and incentivise and support them to consistently reach for delivery of high-quality care
- It is informed by evidence-based practice and the Commission's recent Independent Capability Review
- It has a sharp eye to the 'once in a generation' change that the new Aged Care Act is bringing to aged care in this country
- We are maturing, listening and learning from older people, providers and workers building our expertise, and striving to be a world class regulator



Regulatory Strategy 2024/25

Version 1.0 | June 2024

The Commission cares about:

- how well we do our job and the positive impact we have on the lives of older people
- how effective we are in prompting sustainable changes (improvement) in provider performance and worker behaviour
- meeting community expectations and building trust and confidence in aged care.

To ensure we deliver on these aims, we:

- recognise and support providers who are getting it right with the care they provide
- listen to what older people say about the care they receive and how we do our job
- intervene in the right way at the right time, to safeguard and protect older people
- are consistent in our decision-making and fair, balanced and effective in our regulatory approach.



We are focused on

1

A rights-based consumer-focused approach consistent with the new Aged Care Act.

2

Maturing data-driven 'eyes on' risk surveillance and risk monitoring on all providers.

3

Implementing a provider supervision model to incentivise and compel providers to remedy problems, restore trust and prevent recurrence when things go wrong.

4

Engaging with and educating providers to promote excellence in care to align with community expectations.

5

Using enforcement to apply a penalty for serious non-compliance, and deter future non-compliance for all providers and workers.

6

Regulating through a mix of proactive and reactive responses to risk demonstrated in the regulatory diamond.

7

Embracing the practice of restorative engagement which underpins our approach to complaints resolution and regulation.

8

Investing further in our data and intelligence capability to detect and respond to risks at the service, provider and sector level.

9

Using regulatory campaigns to target specific sector performance issues to uplift capability.



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What we expect from providers all the time

- Genuine partnership with older people that respects and realises their rights
- Reaching for high quality care
- Looking for opportunities to improve

What we expect when things go wrong



Providers understand and fix what went wrong

Remedy



Providers listen to and partner with older people to restore their trust in care

Restore



Providers take action to prevent the issue from happening again

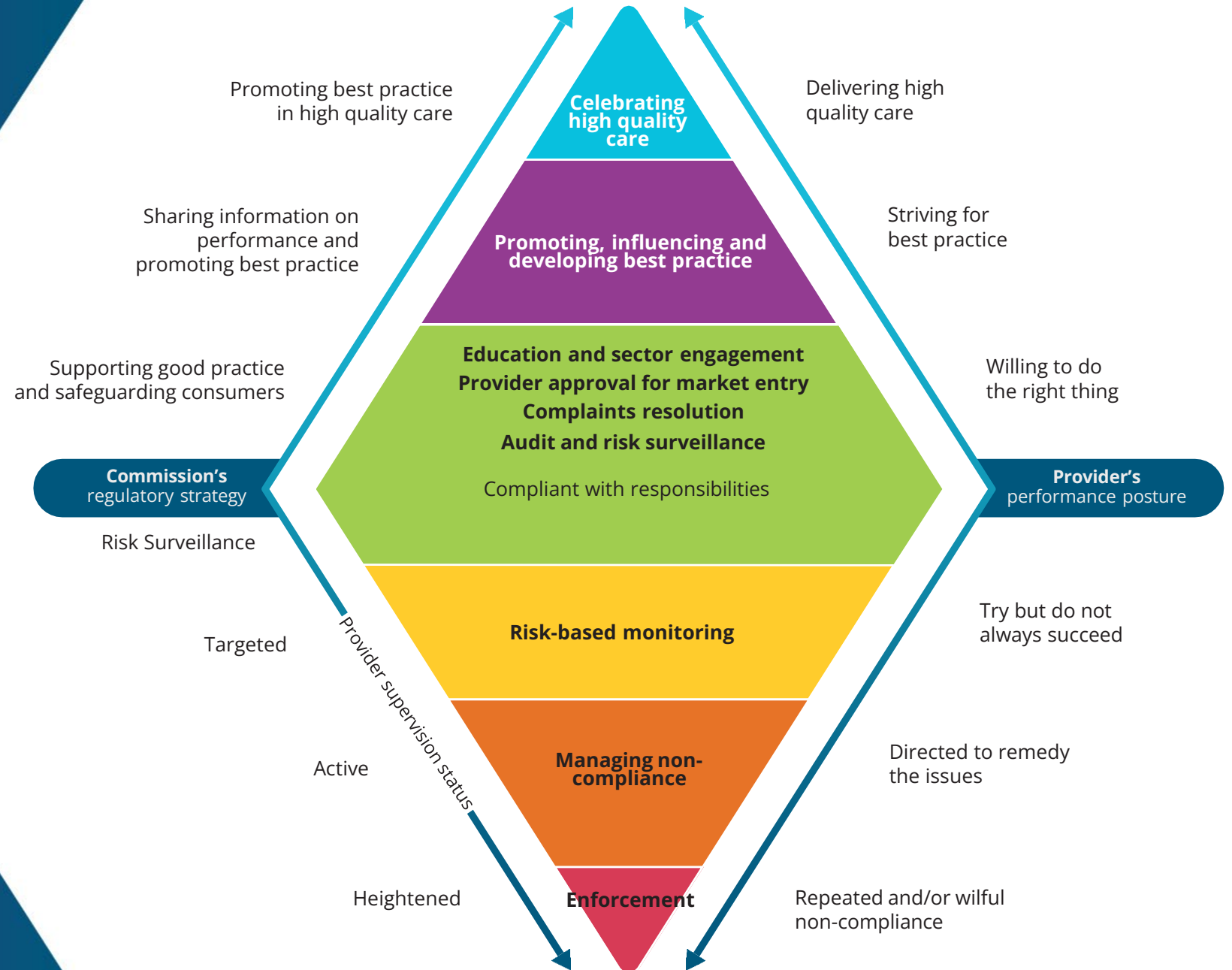
Prevent



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Aged care regulatory diamond



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How we regulate

Risk surveillance of all providers

Preventative regulation

Data analysis

What we do

- Sector education and campaigns targeting specific areas for improvement
- Targeted monitoring of specific issues with groups of services or providers
- Evaluate effectiveness and impact of prevention

Outcomes

- Confirm risks and manage any non-compliance
- Identify areas for sector capability uplift and publish insights
- Update data analysis and inform future regulation

Strategic Purpose

- Prevent, where possible, future failures in care
- Improve sector performance for targeted issues



*Improved care
for older people*

Responsive regulation

Contacts and events

What we do

- Supervise risk and failures in care:
- Engage with providers to seek quick responses
 - Request information/visit site
 - Manage non-compliance
 - Apply enforceable consequences

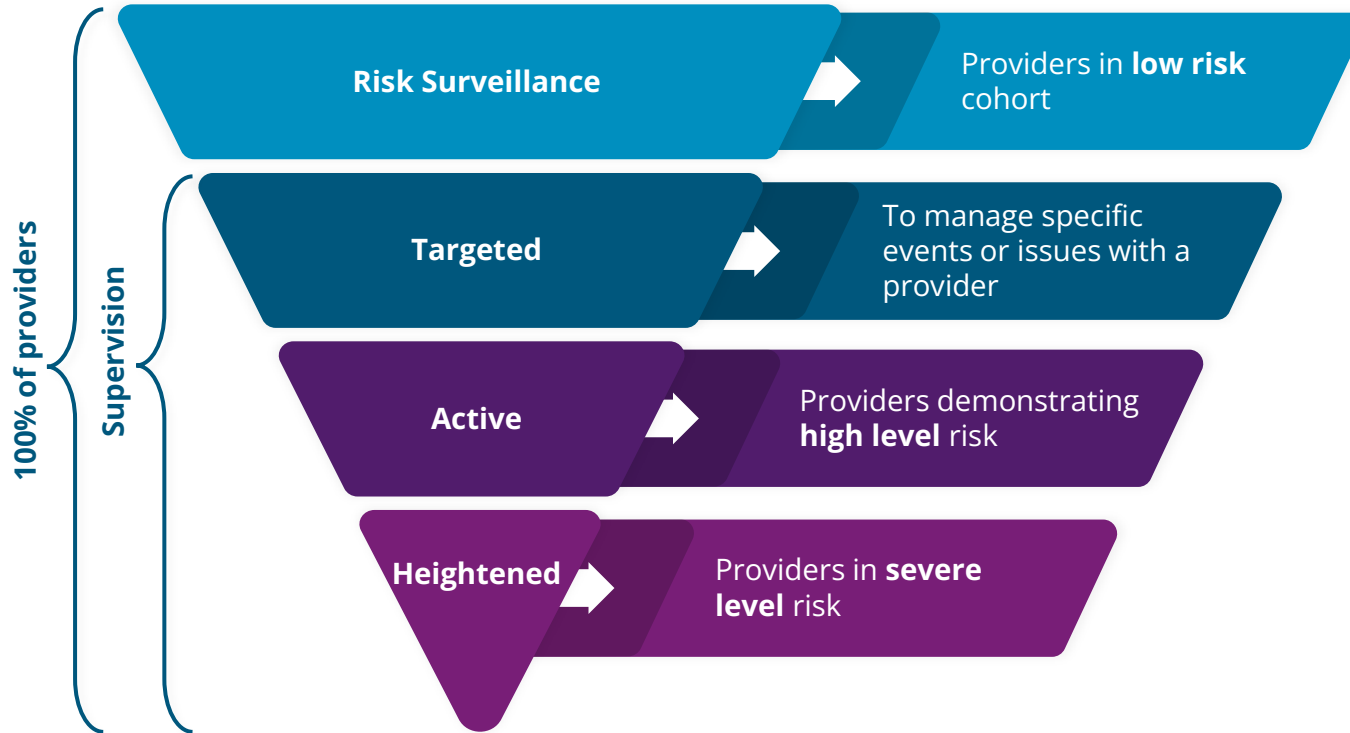
Outcomes

- Regulatory effort is focused on unmanaged risks and stopping harm
- Providers remedy non-compliance, restore trust, and prevent harms to older people

Strategic Purpose

- Reduce risks, and manage non-compliance
- Deter future non-compliance

Provider Supervision



- Every provider is allocated a supervision status based on the level of assessed risk
- The four supervisory statuses, in order of increasing risk (and resourcing), are: **risk surveillance, targeted, active and heightened**
- The assessed risk will determine our intensity of engagement with each provider
- The supervision status of a provider may change as new intelligence and information come to light
- Providers can move up or down the supervision triangle; the choices they make are consequential



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Risk surveillance model

Daily

- Enquiries and feedback
- Complaints
- Workers concerns
- Reportable incidents
- Media

Quarterly

- Financial
- Staffing
- Food and nutrition
- Quality indicators
(e.g. pressure injuries, unplanned weight loss, medication management, physical restraint, falls)

Annually

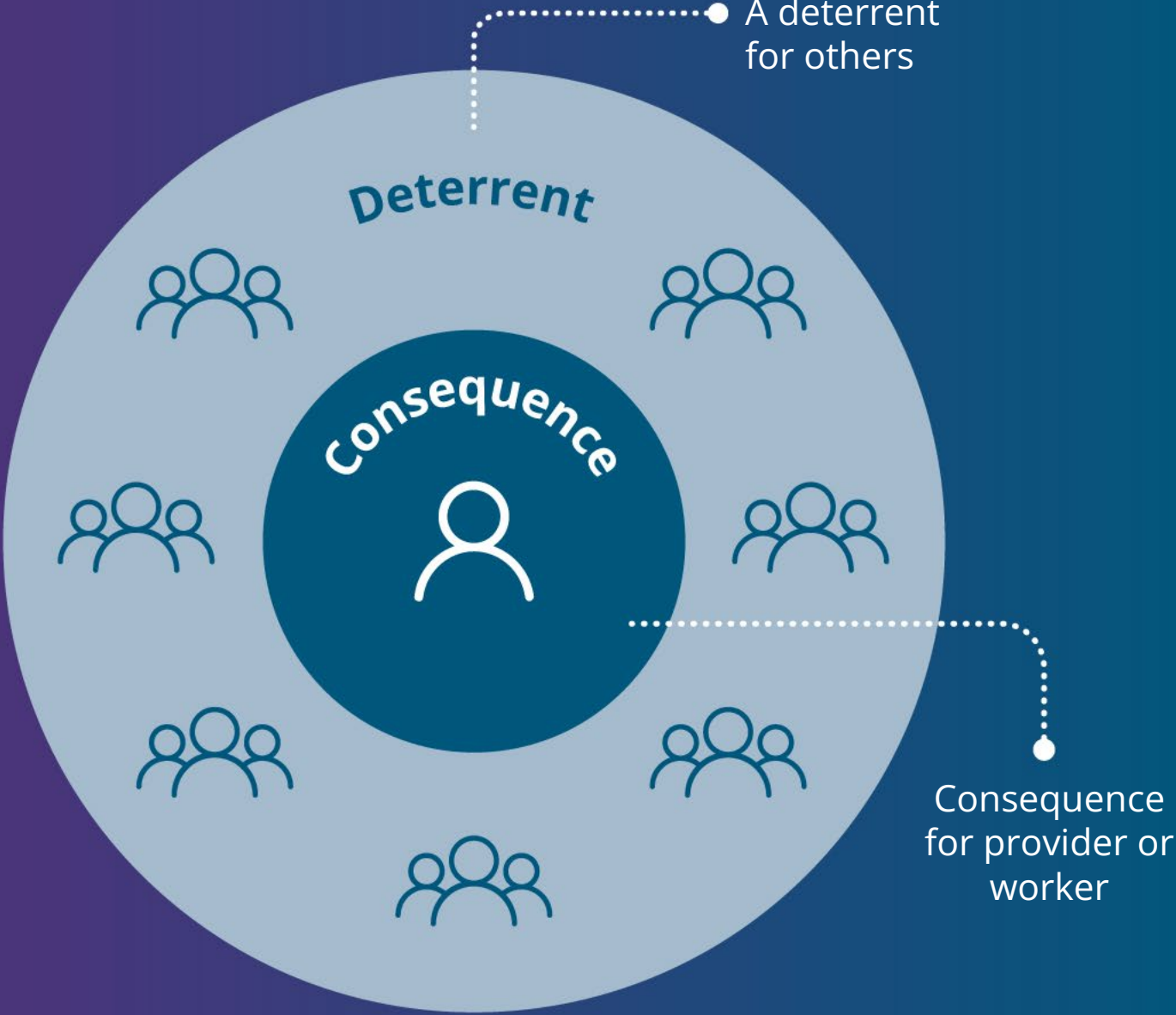
- Financial statements
- Prudential compliance statements
- Consumer experience interviews
- Provider governance and operations information
- Provider governing body statement

As required

- Site audits
- Risk based monitoring
- Material changes
- Referrals from other agencies
- Research and publications



Enforcement approach





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Regulatory Strategy 2024 -25 Case studies

Peter Edwards
Executive Director, Compliance
Management Group





Panel discussion Q&A





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