

Statement of Expectations for the Australian Aged Care Quality Agency

1. Introduction

This Statement outlines the Australian Government's expectations about the role and responsibilities of the Australian Aged Care Quality Agency (Quality Agency), its relationship with Government and the aged care industry, its contributions towards aged care change, the legislative frameworks under which it operates, key priorities for the future, issues of transparency and accountability and operational matters.

The Quality Agency was established on 1 January 2014 as part of broader aged care changes and is responsible for quality assurance across the aged care sector, supporting and promoting quality in aged care service delivery, and delivering a comprehensive industry accreditation and education program.

From 1 July 2014, the Quality Agency assumed responsibility for the Quality Review Programme for aged care services in the community including Home Care, Commonwealth Home and Community Care and the National Respite for Carers' Programme. Further, on 1 August 2014, the Quality Agency assumed responsibility for the administrative functions related to quality monitoring against the National Aboriginal and Torres Strait Islander Flexible Aged Care (NATSIFAC) Program Quality Framework.

The Government recognises and respects the statutory independence of the Chief Executive Officer (CEO) of the Quality Agency. It is imperative that, as CEO, you act independently and objectively in performing functions and exercising powers as set out in the *Aged Care Quality Agency Act 2013* (the Quality Agency Act) and the *Aged Care Act 1997* (the Act). However, the Government expects that you take into account the Government's broad policy framework, including its deregulation agenda, in performing your role and functions.

In particular, I would ask that you work collaboratively with the Department of Health (the department) on the aged care reform initiatives announced in the 2015-16 Budget, including:

- the expansion of cost recovery arrangements for accreditation services; and
- private market provision of accreditation services.

I also expect to be fully informed in a timely manner about the activities of the Quality Agency and any emerging trends, problems or issues in respect of its functions.

2. Priorities for the Quality Agency

The Government has recently implemented a number of changes to move aged care toward a consumer-led system, including Consumer Directed Care (CDC) home care packages and the establishment of the Commonwealth Home Support Programme. Looking forward, there will be significant reforms to the Home Care Programme resulting in improved choice for consumers. There will also be significant changes to establish a single quality framework that encompasses all aged care.

While safety and compliance is an absolutely essential component, the expectations and experiences of older people, must also drive quality regulation.

During this time of change it is vital that the Quality Agency performs its functions to a high standard and in a manner that will contribute to effective implementation of CDC and other aged care changes.

The Government has a clear commitment to reducing the regulatory burden on individuals, businesses and community organisations. Our commitment to deregulation encompasses both “black-letter” law and the impositions that Government entities, such as the Quality Agency, impose in conducting their work. In support of the Government’s deregulation agenda. I ask that you apply a rigorous approach to reducing red tape and continue to seek practical solutions that balance risk with the need for regulation.

The Quality Agency should be mindful in its dealings with industry, of the Government’s focus on CDC and promote the importance of consumers and their carers having greater control of their own lives by allowing them to choose the types of care and services they access and the delivery of those services, including who will deliver the services and when.

The Quality Agency Advisory Council will make an important contribution to both the direction and implementation of the Quality Agency’s role and responsibilities.

In fulfilling its responsibilities to the community and the Government, the Quality Agency should:

- act in a manner that raises public awareness and confidence in the accreditation process and regulatory framework for ensuring quality residential care and aged care in the community;
- actively work with providers of aged care services in the community to foster positive relationships and develop expertise in the issues and trends relating to this sector;
- be responsive and accountable to the Government and the Parliament while fulfilling the functions as set out in the Quality Agency Act and the Act;
- have a particular focus on its new responsibilities for the Quality Review Programme and administrative functions related to quality monitoring against the NATSIFAC Program Quality Framework;
- assess and identify where red tape and regulation can be reduced and seek policy options that offer the greatest net benefit;
- develop more cost-effective ways to ensure compliance with the Accreditation Standards and promote continuous quality improvement across the residential aged care sector; and
- continue to develop and explore mechanisms to enhance openness, transparency and accountability in its work, within the parameters of relevant legislation.

The Government requests that the Quality Agency focus on its core business processes by:

- implementing proportionate risk management strategies and practices aimed at effectively identifying and addressing non-compliance and the risk of non-compliance with the Accreditation Standards, Home Care Standards and the NATSIFAC Program Quality Framework by service providers;
- analysing quality monitoring data to identify issues and trends, and incorporate this information in promoting better practice to industry;
- ensuring that the Quality Agency workforce is adequately guided, trained and equipped to consistently and accurately assess provider performance against the Accreditation Standards, Home Care Standards, and the NATSIFAC Program Quality Framework;
- ensuring the Quality Agency’s governance framework provides effective direction and control over the management and operations of the Quality Agency;
- providing regular and timely reports to the Minister and the department), on trends in non-compliance with specific Accreditation Standards, Home Care Standards and the NATSIFAC Program Quality Framework and the circumstances including risk factors which may precipitate a change in compliance status; and
- working cooperatively with the Minister and the department to identify modifications or innovations to either the accreditation process or standards and actively collaborate with the Minister and the department on the development of quality indicators for residential aged care.

3. Stakeholder relationships

The Government notes that the department and the Quality Agency operate within the same broad policy platform in a manner consistent with the requirements established by the Act. The Secretary of the department plays an important role in providing the government with policy advice in its oversight of portfolio agencies. To ensure that the Secretary and the department can undertake this advisory role, it is important that you inform the Secretary (or the department) of relevant issues and information affecting the portfolio.

Conducive to an effective working relationship, the Minister and the department will continue to consult the Quality Agency on any issue that may impact on its obligations under relevant legislation.

The Government requests that you continue to work collaboratively and closely with the Minister, the department and the Aged Care Commissioner to maintain the effectiveness of the regulatory framework in supporting the Australian Government's approach to ensuring quality and promoting better practice in aged care.

It is expected that the Quality Agency will continue to promote quality, raise public awareness and build relationships with stakeholders by:

- actively working with industry to promote compliance and encourage a focus on continuous improvement;
- ensuring the continuing development and delivery of education services that promote better practice and assist service providers to deliver high quality care; and
- exploring additional means of engaging residents and their families in the accreditation and quality review process, including those from Aboriginal, Torres Strait Islander, lesbian, gay, bisexual, transgender and intersex communities and culturally and linguistically diverse backgrounds, and ensuring that their experiences of care are appropriately considered in decision making and education activities.

4. Organisational Governance and Financial Management

The requirements for the Quality Agency's financial management are set out in relevant legislation. As the CEO of the Quality Agency, you are accountable for the performance of the Quality Agency's functions and its financial management. You are responsible for exercising powers and discharging duties in good faith in the best interests of the Quality Agency and therefore of the Commonwealth.

The Quality Agency has capacity to employ staff under the *Public Service Act 1999* (PS Act). Under the PS Act, agencies are required to uphold and promote the APS Values. All APS employees are required to adhere to the APS Code of Conduct as provided by Section 13 of the PS Act. The Quality Agency is also required to comply with the APS Bargaining Framework.

5. Conclusion

The Government's vision is that the Quality Agency be a high performing and responsive agency that administers a world renowned accreditation and quality review system in a way that minimises compliance costs for the aged care sector. It does this in a way that maximises the promotion of high quality care, innovation in quality management with a focus on continuous improvement, and that balances the Quality Agency's vision with its statutory objectives set out in its governing legislation.