

HACC quality framework

Introduction

Quality assurance is applicable to the management and delivery of all HACC services.

This section outlines the Victorian HACC quality framework which aims to ensure HACC services are of high quality and people's rights are upheld.

This framework comprises the:

- *Community Care Common Standards guide*
- *HACC statement of rights and responsibilities*
- *Victorian HACC Program Complaints Policy.*

Community Care Common Standards guide

On 1 March 2011 the Community Care Common Standards (CCCS) replaced the HACC National Service Standards across Australia. The CCCS are part of an ongoing process of reform to develop and streamline arrangements in community care by the Australian Government and state and territory governments that has been underway since 2005.

The CCCS are applicable to the HACC program, Commonwealth Home Care Packages and National Respite for Carers Program. The three CCCS Standards are:

- Standard 1 Effective Management
- Standard 2 Appropriate Access and Service Delivery
- Standard 3 Service User Rights and Responsibilities.

There are 18 expected outcomes: eight effective management outcomes; five appropriate access and service delivery outcomes; and five service user rights and responsibilities outcomes.

The CCCS guide contains information about the standards and expected outcomes, the quality review tools and process and related documents.

While the CCCS are similar in content to the HACC National Service Standards there are some key differences from the previous two national standards assessment rounds.

- In most cases only one HACC service type at each HACC funded organisation was assessed. Under CCCS all HACC funded client services at a HACC funded organisation will be subjected to the quality review.
- There is no scoring system. Outcomes are rated as 'met' or 'not met'.
- Funded organisations will be required to complete a self-assessment prior to the site visit. This was not a requirement under the HACC National Service Standards Instrument.
- The improvement plan resulting from the CCCS quality review will be updated annually and submitted to the department by those HACC funded organisations that have not met all 18 expected outcomes.

Victorian HACC quality review resource

Organisations funded to provide HACC services in Victoria are required to follow a variety of Victorian policy and program requirements. These include:

- *HACC program manual*
- Diversity planning and practice
- active service model implementation
- service coordination
- *Framework for assessment in the HACC program.*

There are also State Government of Victoria requirements such as the Working with Children Check and card.

Victorian requirements have been incorporated into the quality review process for HACC funded organisations via the *Victorian Home and Community Care (HACC) quality review resource*.

Three year quality review cycle

Every three years, each HACC funded organisation will have a quality review against the Community Care Common Standards. The quality review process for the current cycle July 2011 to June 2014 is detailed below.

Quality reviews for Commonwealth funded programs will be conducted by quality reviewers from the Department of Social Services (DSS).

Australian Healthcare Associates (AHA) has been appointed by the Department of Health to conduct, on the department's behalf, the CCCS quality reviews of HACC funded organisations in Victoria other than those that have accreditation with the Australian Council on Healthcare Standards (ACHS) or Quality Improvement and Community Services Accreditation Inc (QICSA), now known as Quality Innovation Performance (QIP).

For HACC funded organisations with whole-of-organisation ACHS or QIP accreditation as at 28 February 2012, the CCCS quality review for HACC funding will occur with their accreditation review. In some cases this means the quality review will be conducted later than 30 June 2014. Funded organisations should contact ACHS or QIP regarding their accreditation review schedules and for information about the review process.

If a HACC funded organisation ceases to have whole-of-organisation ACHS or QIP accreditation between 28 February 2012 and 31 March 2014, the quality review will be conducted by AHA.

Where possible funded organisations with both Commonwealth community aged care funding and HACC funding will have a joint quality review conducted by reviewers from both AHA and DSS.

However if an organisation has both types of funding and ACHS or QIP accreditation as at 28 February 2012, there will be a separate quality review for Commonwealth community aged care funding by DSS quality reviewers.

The HACC program presentation given at the 2012 CCCS information sessions is available below. This presentation gives an overview of the policy context for the CCCS quality reviews in Victoria.

Improvement plan annual submission

Each HACC funded organisation that has not met all 18 expected outcomes is required to update their improvement plan (developed during the quality review) and submit it annually on the anniversary of the quality review. For example if the quality review is conducted in June 2013 then the first updated improvement plan will be submitted in June 2014 and the second update improvement plan will be submitted in June 2015. The updated improvement plan will document progress to date of implementation of required improvements and/or improvement opportunities.

HACC statement of rights and responsibilities

Older and frail people with moderate, severe or profound disabilities and younger people with moderate, severe or profound disabilities and their unpaid carers comprise the HACC target group.

In the rights and responsibilities statement below, any reference to 'the people' is intended to apply equally to all members of the target group. In some instances, it has been necessary to make a distinction between the groups to emphasise their particular needs or to make the intention of the statement clear.

The HACC program statement of rights and responsibilities recognises that:

- the program assists people who are at risk of premature or inappropriate long-term residential care and their carers
- the program aims to enhance the quality of life and independence of those at risk people and their carers
- the program is administered within available resources and in accordance with the principles and goals set out in the HACC agreements
- people who use HACC funded services retain their status as members of Australian society and enjoy the rights and responsibilities consistent with this status
- funded organisations providing HACC services operate under the constraints of relevant law.

Rationale for rights and responsibilities statement

The HACC statement of rights and responsibilities aims to ensure that both people receiving services, and the funded organisations providing these services, are aware of their rights and responsibilities and can be confident in exercising them.

The need to promote respect for the rights of people receiving HACC services arises from the nature of their relationship with funded organisations providing services.

People using HACC services rely significantly on these services to maintain their ability to live in the community. The nature of this relationship imposes obligations on funded organisations and requires services to be responsive to the changing needs of each person.

Funded organisations must involve each person when determining the support to be provided. This is crucial to the creation of an environment in which people can be confident in exercising their rights and responsibilities.

HACC funded organisations should distribute a copy of the statement of rights and responsibilities and advocacy information to all people receiving services, carers and families. Strategies should be developed to ensure that specific groups – for example people from culturally and linguistically diverse backgrounds and people with disabilities – understand and are able to participate in these processes.

Rights and responsibilities statement

Service recipients' rights

HACC service recipients' key rights within the HACC program are:

- the right to respect for individual human worth and dignity
- the right to be treated with courtesy
- the right to be assessed for access to services without discrimination
- the right to be informed and consulted about available services and other relevant matters
- the right to be part of decisions made about their care
- the right to choose from available alternatives
- the right to pursue any complaint about service provision without retribution
- the right to involve an advocate of their choice
- the right to receive high-quality services
- the right to privacy and confidentiality, and access to all personal information kept about themselves.

Service recipient responsibilities

Consistent with their status as members of Australian society, people receiving HACC services have a responsibility:

- to respect the human worth and dignity of the service provider staff and other people using the service
- to treat service provider staff and other people using the service with courtesy
- for the results of any decisions they make
- to play their part in helping the funded organisation to provide them with services
- to provide a safe work environment for staff and help them to provide people with services safely.

Funded organisations' responsibilities

In providing services, funded organisations have a responsibility:

- to enhance and respect the independence and dignity of the service recipient
- to ensure that the service recipient's access to a service is decided only on the basis of need and the capacity of the service to meet that need
- to inform service recipients about options for HACC program support
- to inform service recipients of their rights and responsibilities in relation to HACC services
- to involve the service recipients and carer in decisions on the assessment and service delivery plan

- to negotiate with the service recipients before a change is made to the service being provided
- to be responsive to the diverse social, cultural and physical experiences and needs of service recipients
- to recognise the role of carers and be responsive to their need for support
- to inform the service recipient about the service to be delivered and any fees charged
- to inform the service recipient of the standards to expect in relation to services they may receive
- to ensure that the service recipient continues to receive services agreed with the provider, taking the service recipient's changing needs into account
- to respect the privacy and confidentiality of the service recipient
- to allow the service recipient access to information held by the funded organisation
- to allow the carer access to information held by the provider about the service recipient where the carer is the legal guardian or has been so authorised by the service recipient
- to deliver services to the service recipient in a safe manner
- to respect a service recipient's refusal of a service and to ensure any future attempt by the service recipient to access a HACC service is not prejudiced because of that refusal
- to deal with service recipient's complaints fairly and promptly and without retribution
- to mediate and attempt to negotiate a solution if conflict arises between the carer and the older person or younger person with a disability
- to accept the service recipient's choice and involvement of an advocate to represent his or her interests
- to take into account the service recipient views when planning, managing and evaluating service provision.

This rights and responsibilities statement provides the framework for a complaints policy and procedures in the HACC program, and is based on both funded organisations and administering government departments having policies and procedures in place to inform service recipients of their right to complain, and to resolve any complaints received. Funded organisations should ensure that their own specific policies and procedures for handling complaints are consistent with the framework outlined in this policy.

Victorian HACC Program Complaints Policy

Overview

The Community Care Common Standards (CCCS) guide and this policy provide the framework for a complaints policy and procedures in the HACC program and are based on both service provider organisations and administering government departments having policies and procedures in place to inform people of their right to complain, and to resolve any complaints received.

Complaints policy

The right of people to lodge a complaint about a service is a fundamental component of the overall strategy to promote the rights of people using services in the HACC program, as set out in the program's statement of rights and responsibilities.

This policy provides the framework for a complaints policy and procedures in the HACC program and is based on the proviso that both service provider organisations and administering government departments have policies in place to inform people of their right to complain, and procedures to resolve any complaints received. Funded organisations should ensure that their own specific policies and procedures for handling complaints are consistent with the framework outlined in this policy and the CCCS guide.

More detailed information regarding the development of organisation specific complaints policy and procedures is provided in the CCCS guide.

The standards clearly outline the principles to guide funded organisations in the establishment of fair, effective and accessible complaints procedures. Funded organisations should refer to the standards when establishing service specific complaint procedures.

Right to complain

People receiving government funded services are entitled to have complaints investigated objectively and without fear of retribution. In the HACC context, such a right of complaint is established in the statement of rights and responsibilities, which states the right of people to 'pursue any complaint about service provision without retribution'. The statement also establishes the responsibility of funded organisations to 'deal with a service user's complaints fairly and promptly and without retribution'.

Complaint mechanisms

Where appropriate, complaints should be dealt with in the first instance by the organisation providing the service. The CCCS guide requires all funded organisations to implement a policy for dealing with and monitoring complaints.

Such internal complaint mechanisms should include a written policy describing how a complaint will be handled. Information on this policy should be made available and explained to all people receiving government funded services. In situations where a complaint is upheld, funded organisations should review their access and/or service delivery practices, with a view to making improvements in the service.

Resolving complaints or concerns

People have the right to lodge a complaint about a service. It is required that all HACC funded organisations develop and distribute an impartial policy statement and a set of procedures for resolving complaints.

An effective policy should provide the means for funded organisations to:

- learn from their experience of complaints management
- review the way they do business
- respond to evolving service user requirements and changes in management environments.

Funded organisations should ensure all policies and procedures for handling complaints are consistent with:

- the Community Care Common Standards guide
- HACC statement of rights and responsibilities.

Under the CCCS, HACC funded organisations are required to provide information about the funded organisation's complaints and feedback processes to all people receiving services, as well as their carers and families. Strategies should be developed to ensure that specific groups — for example people from culturally and linguistically diverse backgrounds and people with disabilities — understand and are able to participate in these processes.

It is likely that some complaints will need to be addressed in a forum that is not associated with, or dependent on, the particular service concerned. This may occur when it is not possible to resolve the complaint at the organisational level or when the person making the complaint does not wish to approach the organisation.

People who remain dissatisfied or who do not wish to raise the complaint with the funded organisation should have recourse to assistance from state or territory departments or other complaint mechanisms independent of the organisation.

State/territory departments

It is appropriate for the state department managing HACC to play a formal role in complaints that cannot be resolved at the organisational level, or are raised by people who feel that they are unable to approach the organisation directly.

In Victoria people can contact their nearest departmental regional office via the department's website, or by referring to the *White pages telephone directory*.

Legal procedures

This statement is subsidiary to all existing common and statutory legal procedures in Victoria.

Use of advocates in the complaint process

Advocacy can play a critical role assisting people to pursue and resolve complaints. The HACC statement of rights and responsibilities makes it clear that people receiving services have the right to involve an advocate of their choice in their dealings with both funded organisations providing services and administering government departments.

However, the role of the advocate is not to mediate between the person making the complaint and the funded organisation or to arbitrate in a dispute, but rather to speak and act on behalf of the person making the complaint. When a complaint cannot be resolved at the funded organisation level, the role of mediation and arbitration lies with the Victorian Department of Health.

Other resources and organisations

Resources and other organisations which may assist funded organisations and complainants in resolving complaints are listed below. Please consult the *White pages telephone directory* or directory assistance for up to date phone numbers.

Health Services Commission

The Health Services Commission deals with complaints concerning any private or public health service provider, including doctors, nurses, allied health professionals and naturopaths. The aim of the commission is to mediate and conciliate between parties.

Disability Services Commissioner

The Disability Services Commissioner (DSC) is an independent statutory authority of the Victorian State Government established under the *Disability Act 2006* to provide an independent and accessible resolution process for people with a disability who have a complaint about services provided by the Department of Human Services, registered disability service providers and funded or contracted services provided under the Disability Act.

The DSC does not deal with complaints that relate to services funded under the HACCC program. Under the terms of a protocol agreed to between the DSC and the Department of Health, the DSC will refer any issue, complaint or enquiry regarding a HACCC service that comes to the attention of the DSC to the appropriate department HACCC regional contact.

State government Ombudsman

The Ombudsman for the state government deals with complaints concerning actions of government departments. The Ombudsman's office also has jurisdiction over the administrative actions of local government officers. However, the Ombudsman cannot act if the complaint concerns a decision or action of an elected council or councillor.

Victorian Equal Opportunity and Human Rights Commission

The Equal Opportunity Commission will deal with complaints concerning discrimination on the grounds of disability, sex, race, age, industrial activity, marital, parental or carer status, political or religious beliefs, sexual orientation or pregnancy.

The commission will assist people to prepare statements and to lodge a complaint. The role of the commission is to then mediate between parties to reach resolution of the complaint.

Office of the Public Advocate

The Office of the Public Advocate represents the interests of Victorian people with a disability. The office is a statutory agency, independent of government and has the power to investigate and take action in situations where people are exploited, neglected or abused. Individual advocacy can also be provided for people with a disability who are being abused or neglected, and where no other advocacy is available. Independent guardians can be provided for people with a disability when the Guardianship and Administration Board make orders.

Regulatory industry boards

These are organisations that regulate the conduct of particular professions. They also deal with complaints against professionals. Most state-based medical regulatory organisations now come under the auspice of the Australian Health Practitioner Regulation Agency (AHPRA).

Links

Australian Healthcare Associates (AHA)

<http://www.ahaconsulting.com.au/Project-Resources/Victorian--HACC-CCCS-Quality-Reviews.aspx>

Community Care Common Standards (CCCS) guide (Commonwealth Department of Health and Ageing, 2010) <http://www.health.gov.au/internet/main/publishing.nsf/content/ageing-publicat-commcare-standards.htm>

Department of Health (Victoria)

<http://www.health.vic.gov.au/>

Department of Social Services (DSS)

<http://www.health.gov.au/>

Disability Services Commissioner (DSC)

<http://www.odsc.vic.gov.au/>

HACC Review Agreement 2007

<http://www.health.gov.au/internet/main/publishing.nsf/Content/hacc-review.htm>

Service agreement information kit for funded organisations 2011

<http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement/>

Office of the Public Advocate

<http://www.publicadvocate.vic.gov.au/>

Victorian Equal Opportunity and Human Rights Commission

<http://www.humanrightscommission.vic.gov.au/>

Victorian HACC Quality Review Resource (Department of Health 2012)

http://www.health.vic.gov.au/hacc/downloads/pdf/quality_resource2012.pdf

Victorian Ombudsman

<http://www.ombudsman.vic.gov.au/www/html/7-home-page.asp>

White Pages Telephone Directory

<http://www.whitepages.com.au/wp/busSearch.jhtml>

2012 CCCS information session presentation

http://www.health.vic.gov.au/hacc/downloads/pdf/cccs_presentation.pdf