

From: Matthew Richter [mailto:ceo@agedcareguild.com.au]

Sent: Thursday, 4 October 2018 3:17 PM

To: s22 ; Wyatt, Ken (MP)

Subject: RE: Aged Care Guild Consolidated Feedback: Royal Commission Terms of Reference

Dear Minister and Aged Care Sector Committee Secretariat,

I recognise this is late in the piece, but we have continued to turn our minds to strong candidates for the second commissioner with industry knowledge. I would like to put forward an additional name should it be of assistance. We thought a bit more broadly and considered Healthcare and identified Ms Patricia Faulkner AO as a worthwhile consideration.

Ms. Patricia Faulkner, AO is a Partner of KPMG in the role of National Leader in Healthcare. Ms. Faulkner is a company director and business consultant with extensive senior executive experience across a range of sectors including health, welfare, telecommunications, government, superannuation and professional services. Ms. Faulkner served a diverse range of high level positions including Secretary of the Department of Human Services, Director of Consumer... Affairs and Director of Occupational Health and Safety. She served as Secretary of the Victorian at Government of Human Services. She held a number of roles with the Victorian Government over a period of almost 20 years in the Department of Labour and Department of Community Welfare Services. She has been Chairman of the Board at Telecommunications Industry Ombudsman Limited since February 2014 and Public Transport Development Authority since October 1, 2015. She served as Chairman at Superpartners Pty Ltd. until December 19, 2014. She serves as Deputy Chairman at St Vincent's Health Australia Limited. She has been a Director at Public Transport Development Authority since July 1, 2015. She has been a Director at St. Vincent's Hospital Sydney Limited since October 1, 2010 and St. Vincent's Hospital Limited since October 2010. She has been a Director at St Vincent's Health Australia Limited since October 1, 2010. She serves on the Board of Melbourne Theatre Company. Other roles of relevance Ms Faulkner has served include Deputy Commissioner to the Victorian Royal Commission into Family Violence, Chair of Jesuit Social Services, the Health & Hospitals Infrastructure Fund, the National Health Performance Authority, the Australian Social Inclusion Board and the Peter MacCallum Cancer Centre; a member of the COAG Reform Council, the Commonwealth Grants Commission and the Melbourne Racing Club and the Health and Hospitals Funding Advisory Board. Ms. Faulkner also served various board appointments including as a member of the Melbourne International Arts Festival.

With regards

Matt

Matthew Richter | Chief Executive Officer



Sustainable Quality Aged Care
Delivering Consumer Choice & Affordability

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From: Matthew Richter

Sent: Monday, 24 September 2018 3:57 PM

To: agedcaresectorcommittee

Subject: RE: Aged Care Guild Consolidated Feedback: Royal Commission Terms of Reference

Hello

Please find some additional consideration for commissioners that arose following consultation with our members on the terms of reference.

Judicial

- Peter Jacobson QC (former Federal Court judge – see profile: <http://7thfloor.com.au/barrister/the-hon-peter-jacobson-qc-2/>) or
- Annabelle Bennett SC (also a former Federal Court judge – see profile: <http://5wentworth.com.au/senior-counsel/the-hon-dr-annabelle-bennett-ao-sc>)

Expertise in Aged Care

- Julie McStay Director and leader of the aged care and retirement living group at Hynes Legal
<http://hyneslegal.com.au/who-we-are/people/julie-mcstay-exp-52>

Kind Regards

Matt

Matthew Richter | Chief Executive Officer



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From: Matthew Richter

Sent: Monday, 24 September 2018 3:41 PM

To: s22 <agedcaresectorcommittee@health.gov.au>; 'Hon. Ken Wyatt' <ken.wyatt.MP@aph.gov.au>

Subject: Aged Care Guild Consolidated Feedback: Royal Commission Terms of Reference

Importance: High

Dear Minister and Aged Care Sector Committee Secretariat,

Royal Commission Terms of Reference

After extensive consultation with our members, the Aged Care Guild is pleased to provide the following consolidated feedback in relation to the Terms of Reference for the Royal Commission. The Aged Care Guild looks forward to working with the Royal Commission into Aged Care to ensure that Senior Australians receive the care they need and deserve, both now and into the future. Generally, any effort to stop looking at this sector in isolation from other areas of the economy, such as higher education, healthcare and employment, is in our view, beneficial. It is critical that any examination of any matter pertinent to the Royal Commission is done so

thoroughly, with appropriate consideration of context within which matters arise. To ensure the sector and government can act quickly to address matters identified by the Commissioners/s, the Aged Care Guild proposes that the Commission should be empowered to release a set of interim recommendations.

The Aged Care Guild supports the Prime Minister's observations that the Royal Commission should:

- Take a holistic view of the sector and not focus on any particular component or sector, it will focus on residential care, home care and commonwealth home support across metropolitan, regional and remote markets.
- Focus on the operational participation of both government as the principle funder and regulator; and non-government as the infrastructure and service providers (including the religious/charitable and independent sub-sectors).
- Be future looking and provide the government of the day with clear recommendations for reform and action.
- Take a balanced, evidence-based approach.

The Aged Care Guild recommends that the Royal Commission Terms of Reference should consider:

Quality, Regulation and Compliance

- Defining the dementia care model for Australia to be world best practice and have this funded appropriately.
- The effectiveness of the Aged Care Quality Assessment and accreditation framework for protecting residents and ensuring best practice clinical and medical care standards are maintained and practised.
- The adequacy and effectiveness of complaints handling processes at a state and federal level, including consumer awareness and appropriate use of the available complaints mechanisms.
- The effectiveness of the current regulatory regime in facilitating the improvement of care outcomes for senior Australians.
- Appropriateness of the Specified Care and Services – (Schedule 1 - *Quality of Care Principles 2014*) and the new Aged Care Quality Standards in providing clear guidance regarding the minimum level of care and services required.
- The role of government as the regulator and system steward of the *Aged Care Act 1997*.
- The efficacy of government information and guidance issued to the aged care sector on operations, planning and service delivery.
- Application of regulatory and compliance activity on the sector to ensure that activity has been driven by evidenced based protocols and methodology.
- Benchmarking the regulatory and compliance regime in the aged care sector with other human services sectors in Australia and overseas.
- The importance of the sector being regulated by adequately trained and experienced Quality Assessors who are consistent and transparent in their decision making.

Sustainability of the Aged Care Sector

- The relationship of government funding to costs should be adequate to ensure long term sustainability, including review of the forward estimates.
- The long term funding model to provide certainty and long-term sustainability for the sector. The funding model should consider both access to care and the appropriateness of regulation of private fee arrangements.
- A clear understanding of the demographic demand that defines the number of residents we need to provide care for in the future. (e.g. current projections of over 80,000 new

places in ten years is based on a strict population growth against the target provision ratios, set by the Department of Health, and does not reflect the changing level of acuity and expectations of future residents).

- A clear understanding of the capital needed for the sector based on the demographics (estimated to be \$54 billion over the next decade by ACFA), where this will come from and the appropriate return the sector needs to attract this capital.
- Consider the evidence base underpinning government pricing decisions, particularly in relation to issues such as indexation and MPIR calculations.
- The adequacy of information and support provided to support consumer choice, this should include but not be limited to the effectiveness of the new Aged Care Quality Standards, Accreditation Assessments, My Aged Care website, advanced care directives and powers of attorney, financial planning.

Workforce

- The challenge of supporting and growing the aged care workforce to meet the needs of care recipients and ensure the sustainability of the industry.
- What is the 'right level of care'.
- The role of Government as the primary funder and regulator of the aged care industry and sets policy in areas impacting the aged care workforce. E.g. policy settings that impact the sector disproportionately - Aged Care Payroll Tax Supplement.
- Modelling and analysis of the industry's capacity to meet its future workforce requirements is needed to obtain a clear picture of the task ahead. Including future aged care workforce requirements, including the impacts of sector growth, changes in how care is delivered, and increasing competition for workers including registered staff.
- The training needs of the industry should to ascertain the capacity to train the future workforce and whether current requirements and expectations are being met.
- Government policies at the state, territory and Commonwealth level which have a significant impact on the aged care workforce. Including:
 - Impact of the changes made to care funding (ACFI), particularly in the complex care domain.
 - Assistance to migrants transitioning to the workforce.
 - Recognition of overseas qualifications.
- How other jurisdictions are dealing with these matters.

Broader Health Sector

- Consider how aged care intersects with the broader health sector
- Access to primary care in residential aged care:
 - the Australian Medical Association's aged care survey shows one-in-three doctors are planning to reduce visits because the Medicare rebates are inadequate for time and work involved.

Reviews undertaken/initiated by government (including but not limited to):

- Aged Care Workforce Strategy.
- Review of Aged Care Quality Regulatory Processes.
- Alternative Aged Care Assessment, Classification Systems and Funding Models.
- Resource Utilisation Classification Study.
- Review of the Aged Care Funding Instrument.
- Aged Care Legislated review.
- Inquiry into the Quality of Care in Residential Aged Care Facilities in Australia.
- Inquiry into the Effectiveness of the Aged Care Quality Assessment and accreditation framework for protecting residents from abuse and poor practices, and ensuring proper

clinical and medical care standards are maintained and practised.

We also think it is important to reinforce the message that has already been conveyed to the Prime Minister about the importance of not undermining confidence in the sector, upon which so many people rely heavily. The vast majority of cases, residents are treated respectfully and cared for appropriately. Eroding confidence of our residents and their families, and the workforce is not in anybody's interests and will make it very difficult to rebuild. In this regard, we thank Minister Wyatt for his September *Open Letter to the Aged Care Workforce* and hope that this support continues through the course of the Royal Commission.

Thank you for this opportunity to provide advice from our members on this important Royal Commission. I am available, and willing, to assist the Minister at any time in refining the Terms of Reference or with any other matter.

Kind Regards
Matthew

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