



Office of the
Aged Care
Commissioner

Office of the Aged Care Commissioner
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Our Role and How We Can Help

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About Us

The Office of the Aged Care Commissioner was established in May 2007 as an office of independent review. This brochure is designed to provide an outline of the functions and services of the Aged Care Commissioner.

The Office of the Aged Care Commissioner performs four important functions:

- Conducts reviews of examinable decisions
- Conducts investigations into complaints about the Aged Care Complaints Investigation Scheme (the Scheme) and the Aged Care Standards and Accreditation Agency (the Agency).
- Conducts Own Motion investigations
- Provides advice to the Minister for Ageing upon request

In undertaking our role, we will clearly explain our processes and, while we do not provide legal advice or advocate for parties involved in a case, we can assist you when lodging a complaint or appeal by actively listening and by seeking to understand your requirements and what is important to you.

Our services are free of charge. Our staff act with integrity and strive to maintain the highest standards of professionalism in their work. We are committed to being accessible to stakeholders and the wider community, and to managing complaints in an impartial and fair manner. In your dealings with us you can expect to be treated with courtesy and respect. We have a strong commitment to continuous improvement and are accountable for our actions and decisions. The Office of the Aged Care Commissioner will be

responsive to Government and attentive to public interest considerations when providing advice to the Minister.

Review of An Examinable Decision

The Aged Care Commissioner (the Commissioner) is able to examine appeals received from care recipients or their families or by aged care providers about decisions made by the Scheme. Some decisions are not able to be appealed to the Commissioner. Broadly, those which can be examined include:

- Decisions to end an investigation
- Decisions concerning whether the aged care provider has breached their responsibilities under the Aged Care Act 1997
- Decisions to issue a Notice of Required Action or otherwise
- Decisions setting, adding or varying conditions of a Notice of Required Action

If you wish to lodge an appeal, the application must be received by the Commissioner in writing, within 14 days after you have received the decision from the Scheme.

Your application must clearly state that you wish to appeal the decision and the reasons why you disagree with it (other than being solely dissatisfied).

Complaints

The Commissioner investigates complaints related to the management of cases by the Scheme.

The Commissioner can also investigate complaints which relate to the conduct of the Agency and/or persons carrying out audits or making support contacts.

Composing An Effective Complaint

Under the Aged Care Act, the Commissioner is only able to review complaints if they are received in writing. It is important that you first notify the Scheme or Agency that you wish to make a complaint to the Commissioner.

In order to lodge a complaint that the Commissioner is able to deal with, there are three basic requirements that will make your complaint more effective.

Firstly, be clear about the issues you want dealt with. It is difficult to examine a complaint if the complaint is vague or unclear.

Secondly, provide any relevant history about your complaint. This will enable the Commissioner to understand how you have attempted to resolve the complaint and how the Scheme or Agency has dealt with the matter.

Finally, be clear about the outcomes you expect from the complaint. The Commissioner will advise you if your outcome is unrealistic or unachievable.

Questions?

If you would like to know more about the Office of the Aged Care Commissioner or would like assistance in lodging an effective complaint or appeal, please contact us on freecall **1800 500 294**.

Please contact us if you would like further information.