



PalliativeCare
AUSTRALIA

*His Excellency General the
Honourable Sir Peter Cosgrove AK
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the Commonwealth of Australia,
Patron*

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Aged Care Quality Review

Submitted via email: agedcarequalityreview@health.gov.au

Dear Ms Carnell and Professor Paterson

RE: Review of National Aged Care Quality Regulatory Processes

Thank you for the opportunity for Palliative Care Australia (PCA) to comment on the Review of National Aged Care Quality Regulatory Processes. PCA supports the independent review of the regulatory activities applying to quality of care in residential aged care and looks forward to the publically available report.

PCA is the national peak body for palliative care in Australia, providing leadership on palliative care policy and community engagement. Working closely with consumers, its Member Organisations and the palliative care and broader health workforce, PCA aims to improve the quality of life and death for people with a life-limiting illness, their families and carers. PCA offer the following input for your consideration in relation to palliative and end-of-life care in residential aged care, rather than broad commentary regarding the regulation of residential aged care.

PCA questions the general awareness of people engaged in the aged care industry, including consumers, their families and people working in aged care, of their rights and responsibilities, particularly as they relate to receiving palliative care and end-of-life care. To note the *Aged Care Act 1997* (Schedule of Specified Care and Services) stipulates that approved residential aged care providers are responsible for providing access to a qualified practitioner from a palliative care team and for the establishment of a palliative care program, including monitoring and managing any side effects for any resident that needs it.

The need to ensure the availability of high quality palliative and end-of-life care services in residential aged care is the basis of the [Principles for Palliative and End-of-Life Care in Residential Aged Care](#) released during Palliative Care Week in May 2017, and I encourage those involved in the Review to consider these Principles. These Principles are a collaboration by PCA, Alzheimer's Australia, COTA Australia, Aged & Community Services Australia, Leading Age Services Australia, Catholic Health Australia and the Aged Care Guild. The Principles present a united commitment in recognising the diverse needs of residential aged care consumers, families, carers, aged care staff and service providers in providing palliative and end-of-life care.

PCA highlights the National Palliative Care Strategy 2010 identified the importance of palliative care in aged care, where an evaluation of the Strategy undertaken in 2016 specifically noted challenges in palliative care provision within residential aged care, stating "the level of palliative knowledge within the aged care sector varies considerably between, and within, facilities as well as states", in addition to concerns regarding the availability of clinical support within residential aged care. All staff need to be trained and equipped to recognise the need for appropriate end-of-life or palliative care, including appropriate pain management and the signs of approaching death. Further, services and staff should support and facilitate advance care planning discussions and documentation of wishes and preferences for all consumers or residents.

PCA are also currently reviewing the National Palliative Care Standards released in 2005 to ensure that they adequately guide the provision of high-quality palliative care that meets consumer needs and preferences. The review places consumers at the centre of palliative care, and the draft of the 2017 National Palliative Care Standards has a significant focus on giving people greater choice and flexibility, and can be applied to all palliative care settings services delivered in residential aged care. The National Palliative Care Standards are an important part of the broader health care quality system, as they promote consistent high-quality care that is safe, respectful and consumer focused. While not compulsory for service providers, they may be applied to inform a service or organisation's accreditation process, where the service is required to meet one or more sets of quality standards. Making available the National Standards Assessment Program (NSAP) to aged care providers will increase consistency in palliative care and make it easier for consumers, and their families, carers and representatives, to understand what they can expect from their service, whatever type that may be.

PCA has received feedback questioning the effectiveness and awareness of My Aged Care, both through our Member organisations and as a member of the National Aged Care Alliance (NACA). Areas that should be considered for improved awareness include:

- The Aged Care Complaints Commissioner
- Existing reporting requirements, including
 - The *Aged Care Act 1997* and the complimentary legislative instruments
 - Health Practitioner Regulation National Law
- National code of conduct for health care workers
- Advocacy services, especially as these arrangements have recently changed

PCA also suggests the language used in the aged care context should be reviewed, where terms such as 'quality' should not be used as a substitute for 'safety' and 'accreditation'. This interchangeable use of these words further complicates an already complex area and increases the potential for misunderstanding of the objectives of accreditation.

Noting the recent Australian Law Reform Council's *Elder Abuse – A National Legal Response*, specifically the recommendations regarding aged care, PCA would also support a discussion on the introduction of a new serious incident response scheme, which would be administered by an independent oversight body (recommendation 4-1). PCA is of the opinion that such a body could assist to support not only aged care consumers but also people working in aged care and the aged care providers. Furthermore, this could assist in identifying continuous improvement opportunities and learnings for the industry as a whole.

PCA want to see the community recognising that death is a normal part of life and palliative and end-of-life care is integrated as core business throughout the aged care system. Please do not hesitate in contacting Kelly Gourlay, National Policy Advisor, if you wish to arrange to discuss these matters further at kelly@palliativecare.org.au or (02) 6232 0708.

Yours sincerely



Liz Callaghan
CEO

Palliative Care Australia