



01. CONSUMER DIGNITY AND CHOICE POLICY AND PROCEDURE

SECTION 1: CONSUMER DIGNITY AND CHOICE

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1.1 OVERVIEW

1.1.1 CONSUMER OUTCOME¹

"I am treated with dignity and respect, and can retain my identity. I can make informed choices about my care and services, and live the life I choose."

1.1.2 ORGANISATION STATEMENT²

Victoria Daly Regional Council Home Care:

- Has a culture of inclusion and respect for consumers
- Supports consumers to exercise choice and independence
- Respects consumers' privacy.

1.1.3 OUR POLICY³

- Each consumer is treated with dignity and respect, and their identity, culture and diversity is valued
- Care and services are culturally safe
- Each consumer is supported to exercise choice and independence, including to:
 - make decisions about their own care and the way care and services are delivered
 - make decisions about when family, friends, carers or others should be involved in their care
 - communicate their decisions
 - make connections with others and maintain relationships of choice, including intimate relationships
- Each consumer is supported to take risks to enable them to live the best life they can
- Information provided to each consumer is current, accurate and timely, and communicated in a way that is clear, easy to understand and enables them to exercise choice
- Each consumer's personal privacy is respected and information is kept confidential.

1.1.4 RESPONSIBILITIES

- Management ensures processes and practices are in accord with consumer dignity and choice and provide the resources to support staff and consumers including staff development and supervision
- Staff follow policies and procedures, participate in development opportunities, treat consumers with dignity and respect at all times, work to maintain an environment that is culturally safe, support consumers to make informed choices about their care and ensure the privacy and confidentiality of consumers

¹ Australian Government Department of Health Standard 1: Consumer Dignity and Choice Aged Care Quality Standards June 2018

² Ibid

³ Based on the requirements for Standard 1: Consumer Dignity and Choice Aged Care Quality Standards June 2018

- Consumers and/or their representatives make their choices known to staff and let us know when they feel they have not been treated with dignity and respect or have not been supported or permitted to express their choices about their care and services.

1.1.5 MONITORING CONSUMER DIGNITY AND CHOICE

Consumer dignity and choice processes and systems are regularly audited as part of our audit program and staff, consumers and other stakeholders are encouraged to provide ongoing feedback on issues and areas where improvements can be made (see 8.3.5 Corporate Calendar and 8.9 Continuous Improvement).

1.1.6 REFERENCES

- Australian Commission on Safety and Quality in Health Care [Australian Open Disclosure Framework](#) 2013
- Australian Government Australian Aged Care Quality Agency [Aged Care Quality Standards Draft Guidance - Full Suite](#) 2018
- Australian Government [Competition and Consumer Act 2010](#)
- Australian Government Department of Health Advisory email: [Home Care Providers – Know your Rights and Obligations](#) 6 August 2018
- Australian Government Department of Health [Aged Care Quality Standards](#) June 2018
- Australian Government Department of Health [Changing Home Care Providers](#) 5 January 2017
- Australian Government Department of Health [Charter of Rights and Responsibilities for Home Care \(Effective 27 February 2017\)](#)
- Australian Government Department of Health [CHSP Funding Extension 21 July 2018](#) (web document)
- Australian Government Department of Health [Commonwealth Home Support Programme - Program Manual](#) 2018
- Australian Government Department of Health Aged Care Sector Committee Diversity Sub-group [Aged Care Diversity Framework](#) December 2017
- Australian Government Department of Health [Home Care Packages Program Operational Manual](#) December 2015
- Australian Government Department of Health [Information for Aged Care Providers Newsletter Issue 12 August 2018](#)
- Australian Government Department of Health [mai example – calculation of unspent home care amounts](#) 2017
- Australian Government Department of Health [Maximising Independence – Wellness and Reablement Approaches \(Pertaining to CHSP\)](#) June 2018
- Australian Government Department of Social Services [Living Well at Home: CHSP Good Practice Guide Commonwealth Home Support Programme](#) July 2015
- Australian Government Federal Register of Legislation [User Rights Principles](#) 2014 Division 2 – Responsibilities of Approved Providers of Home Care – General 17: Security of Tenure 27 February 2017
- Australian Government My Aged Care [Actively Managing Unspent Funds](#)
- Australian Government My Aged Care <http://www.myagedcare.gov.au/help-home/home-care-packages/home-care-agreement> February 2017

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- Australian Government Office of the Australian Information Commissioner *Privacy Fact Sheet 49: Health Information and your Privacy January 2017*
- Australian Government *Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012*
- Meaningful Ageing Australia *National Guidelines for Spiritual Care in Aged Care 2016*
- Williams, Robyn *Cultural safety: what does it mean for our work practice?* Australian and New Zealand Journal of Public Health. 23(2): 213-214 2008 Cited in Aged Care Quality Standards Standard 4: Services and Supports for Daily Living June 2018 p 82

1.1.7 DEFINITIONS

1. Consumer refers to the consumer and their guardian and/or their representatives nominated by them.
2. Support Worker refers to unregulated healthcare workers.
3. Support Staff refers to all staff involved in delivering services and care to consumers.

1.2 SERVICES PROVIDED

Victoria Daly Regional Council Home Care provides Commonwealth Home Support Services (CHSP) and Home Care Packages (HCPs).

1.2.1 CHSP SERVICES

i) Overview

CHSP services are delivered on a short-term, episodic or ongoing basis, with a strong focus on activities that support independence and social connectedness and taking into account each person's individual goals, preferences and choices.

The CHSP is designed to provide small amounts of support services in a timely manner to frail older people who have difficulty performing activities of daily living without help due to functional limitations. Services funded under the CHSP include domestic assistance, transport, meals personal care, home maintenance and modifications, social support, nursing and allied health.⁴

ii) Eligibility for CHSP services

Through the CHSP, entry-level home support services are provided to frail older people. "Frail" in the CHSP refers to older people (people aged 65 years and over and Aboriginal and Torres Strait Islander people aged 50 years and over) who have difficulty performing activities of daily living without help due to functional limitations (including cognitive limitations).⁵

iii) Range of services provided by CHSP

The services we provide under CHSP are detailed below in Table 1.2.1: Services Provided in CHSP and Recording Services Delivered. These services are all under the CHSP sub-program, Community and Home Support.

Table 1.2.1: Services Provided in CHSP and Recording Services Delivered

Service Type	Data Recording
Domestic Assistance	Hours excluding staff travel time
Meals	Number of meals
Personal Care	Hours excluding staff travel time
Social Support-Group (formerly Centre-Based Day Care)	Recorded on the <u>Day Centre Attendance Sheet</u> . The trips, hours attending day centre and meals are recorded
Social Support-Individual	Hours excluding staff travel time
Transport	One-way trips

⁴ Australian Government Department of Health Commonwealth Home Support Programme - Program Manual 2018 pp 15-17

⁵ Australian Government Department of Health CHSP – Update for Service Providers 23 August 2018 Clarification of CHSP Eligibility Criteria

Specific information and requirements regarding CHSP Service Types and how to record outputs is available in the CHSP Guidelines 2018.⁶

1.2.2 HOME CARE PACKAGES

i) Overview

Home Care Packages (HCPs) provide consumers with individually planned and coordinated packages of care to support them to live in their home for as long as possible. Assistance is at a higher level than CHSP and is targeted at more complex consumers. HCPs are delivered on a Consumer Directed Care model that maximises the amount of choice and flexibility in the delivery of packages (see 1.4.3 Fostering Choice and Independence/ii) Consumer directed care).

Under the Commonwealth Government Strategy for Increasing Choice in Aged Care⁷, HCP funding for consumers is paid to Victoria Daly Regional Council Home Care but follows the consumer. If a consumer wishes to change service provider they are free to do so and can direct the payment of their funding to a new provider.⁸

ii) Eligibility for HCP services

To commence a Home Care Package with Victoria Daly Regional Council Home Care a person:

- Is a frail older person living in the community
- Have been assessed and approved for a package by an Aged Care Assessment Team (ACAT)⁹:
 - as having needs that can only be met by a co-ordinated package of care services
 - as someone who would be eligible to receive at least low-level residential care (for Home Care Levels 1 or 2) or high-level residential care (for Home Care Levels 3 or 4) if they applied for residential care
 - have expressed a preference to live at home (including as a resident of a retirement village) and
 - as able to remain living at home with the support of a Home Care Package
- They have reached the front of the national prioritisation queue in My Aged Care (based on relative need and time waiting) and have been assigned a package
- They have chosen Victoria Daly Regional Council Home Care as their provider and
- They have commenced care within 56 days of the date they were prioritised (an additional 28 days can be applied for by the consumer if they had difficulties finding a provider).¹⁰

⁶ Australian Government Department of Health Commonwealth Home Support Programme - Program Manual 2018 3.2.1 Community and Home Support Sub-Program p 34. This subsection provides details on what services are provided, their scope and how to record outputs

⁷ Australian Government Department of Health [Increasing Choice in Home Care](#) - Commenced February 2017

⁸ Australian Government Department of Health Questions and Answers Aged Care Legislation Amendment May 2016 (PDF download)

⁹ Australian Government ComLaw *Approval of Care Recipient Principles 2014* Section 7: Home Care

¹⁰ Department of Health Questions and Answers Aged Care Legislation Amendment May 2016 pp 11-12

iii) Range of services provided by home care packages

The services provided as part of a Home Care Package are shown in Table 1.2.2 Range of Services Provided by Home Care Packages.

Table 1.2.2 Range of Services Provided by Home Care Packages¹¹

A. Care services	
Personal services	Personal assistance, including individual attention, individual supervision and physical assistance, with: <ul style="list-style-type: none"> • bathing, showering including providing shower chairs if necessary, personal hygiene and grooming, dressing and undressing, and using dressing aids • toileting • dressing and undressing • mobility • transfer (including in and out of bed)
Activities of daily living	Personal assistance, including individual attention, individual supervision and physical assistance, with: <ul style="list-style-type: none"> • communication including assistance to address difficulties arising from impaired hearing, sight or speech, or lack of common language, assistance with the fitting of sensory communication aids, checking hearing aid batteries, cleaning spectacles and assistance in using the telephone
Nutrition, hydration, meal preparation and diet	Includes: <ul style="list-style-type: none"> • assistance with preparing meals • assistance with special diet for health, religious, cultural or other reasons • assistance with using eating utensils and eating aids and assistance with actual feeding if necessary • providing enteral feeding formula and equipment
Management of skin integrity	Includes: <ul style="list-style-type: none"> • providing bandages, dressings, and skin emollients
Continence management	Includes: <ul style="list-style-type: none"> • assessment for and, if required, providing disposable pads and absorbent aids, commode chairs, bedpans and urinals, catheter and urinary drainage appliances and enemas • assistance in using continence aids and appliances and managing continence
Mobility and dexterity	Includes: <ul style="list-style-type: none"> • providing crutches, quadruped walkers, walking frames, walking sticks and wheelchairs • providing mechanical devices for lifting, bed rails, slide sheets, sheepskins, tri-pillows, and pressure relieving

¹¹ Australian Government Quality of Care Principles 2014 Schedule 3 – Care and Services for Home Care Services Part 1 Care and Services

A. Care services	
	mattresses <ul style="list-style-type: none"> • assistance in using the above aids
B. Support services	
Support services	Includes: <ul style="list-style-type: none"> • cleaning • personal laundry services, including laundering of the consumer's clothing and bedding that can be machine-washed, and ironing • arranging for dry-cleaning of the consumer's clothing and bedding that cannot be machine washed • gardening • medication management • rehabilitative support, or helping to access rehabilitative support, to meet a professionally determined therapeutic need • emotional support including ongoing support in adjusting to a lifestyle involving increased dependency and assistance for the consumer and carer if appropriate • support for consumers with cognitive impairment, including individual therapy, activities and access to specific programmes designed to prevent or manage a particular condition or behaviour, enhance quality of life and provide ongoing support • providing 24-hour on-call access to emergency assistance including access to an emergency call system if the consumer is assessed as requiring it • transport and personal assistance to help the consumer shop, visit health practitioners or attend social activities • respite care • home maintenance, reasonably required to maintain the home and garden in a condition of functional safety and provide an adequate level of security • modifications to the home, such as easy access taps, shower hose or bath rails • assisting the consumer, and the homeowner if the home owner is not the consumer, to access technical advice on major home modifications • advising the consumer on areas of concern in their home that pose safety risks and ways to mitigate the risks • arranging social activities and providing or coordinating transport to social functions, entertainment activities and other out-of-home services • assistance to access support services to maintain personal affairs
Leisure, interests and	Includes:

B. Support services	
activities	<ul style="list-style-type: none"> encouragement to take part in social and community activities that promote and protect the consumer's lifestyle, interests and wellbeing
C. Clinical services	
Clinical care	Includes: <ul style="list-style-type: none"> nursing, allied health and therapy services such as speech therapy, podiatry, occupational or physiotherapy services other clinical services such as hearing and vision services
Access to other health and related services	Includes: <ul style="list-style-type: none"> referral to health practitioners or other service providers

iv) Excluded services and/or items

The following services and/or items are excluded and are not included in any packages delivered:

Table 1.2.3 Range of Services Excluded from Home Care Packages¹²

Excluded items	Details
	<ul style="list-style-type: none"> use of the package funds as a source of general income for the consumer purchase of food, except as part of enteral feeding requirements payment for permanent accommodation, including assistance with home purchase, mortgage payments or rent payment of home care fees payment of fees or charges for other types of care funded or jointly funded by the Australian Government home modifications or capital items that are not related to the consumer's care needs travel and accommodation for holidays cost of entertainment activities, such as club memberships and tickets to sporting events payment for services and items covered by the Medicare Benefits Schedule or the Pharmaceutical Benefits Scheme gambling activities illegal activities

¹² Australian Government [Quality of Care Principles 2014 \(updated 2018\)](#) Schedule 3 – Care and Services for Home Care Services Part 2 Excluded Items

v) Crossover of CHSP with HCP

CHSP services are not provided on a subsidised basis to people who are receiving a HCP except in the following circumstances. Where a Level 1 or 2 HCP consumer's budget is fully allocated, the consumer can access additional, short-term or episodic allied health and therapy services or nursing services from the CHSP. Where a HCP consumer's budget is fully allocated, and a carer requires respite, the consumer can access additional planned respite services under the CHSP.

1. For consumers on a Level 1 or 2 HCP: where the consumer's HCP budget is already fully allocated, the consumer can access additional, short-term or episodic Allied Health and Therapy services or Nursing services from the CHSP, where these specific services may assist the consumer to recover after a setback.
2. For consumers on a Level 1 to 4 HCP: where the consumer's HCP budget is already fully allocated and a carer requires it, the consumer can access additional planned respite services under the CHSP (on a short-term basis).
3. For consumers on a Level 1 to 4 HCP: in an emergency (such as when a carer is not able to maintain their caring role) and where the consumer's HCP budget is already fully allocated, additional services under the broader CHSP can be obtained on an emergency or short-term basis. These instances must be time limited, monitored and reviewed.

These instances are:

- Approved by My Aged Care
- Short term and time limited
- Provided at an entry level of support
- Provided only if they do not disadvantage other eligible CHSP consumers
- Charged to the consumer (not the HCP) as per our consumer contribution policy.¹³

1.2.3 ACCESS TO SERVICES

i) Equal access

No consumers are excluded from access to Victoria Daly Regional Council Home Care on the grounds of their gender, marital status, religious or cultural beliefs, political affiliation, particular disability, ethnic background, age, sexual preference, inability to pay or circumstances of their carer.

ii) Prioritising services

All other things being equal, priority access to services is given to people with special needs. (See 1.3.7 Consumers with Special Needs.)

¹³ Australian Government Department of Health [Fact Sheet Commonwealth Home Support Programme Interaction with Home Care Packages](#) p 2 (Last updated 18 May 2018)

1.2.4 MY AGED CARE¹⁴

i) Victoria Daly Regional Council aged care information

The My Aged Care provider portal is used by Victoria Daly Regional Council Home Care to maintain information about the CHSP and HCP services we provide, including special needs groups we cater for and type and availability of services. To ensure CHSP referrals from My Aged Care and the selection of Victoria Daly Regional Council Home Care by HCP consumers, the information on the portal is kept up to date by the Consumer Care Coordinator.

Consumers can access information about service providers through the My Aged Care website, the My Aged Care Contact Centre, the My Aged Care Regional Assessment Services and the ACATs.

My Aged care also provides a 'match and refer service' with consumers making the final decision.

ii) Home care service notification form (for HCP approved providers)

The Home Care Service Notification Form is completed by approved providers within 28 days of a change in the name or address of the home care service or of any new home care services to ensure correct payment of subsidies.

1.2.5 SUBCONTRACTING SERVICE DELIVERY¹⁵

Victoria Daly Regional Council Home Care subcontracts some CHSP and HCP services for consumers that we do not provide with in-house staff.

Victoria Daly Regional Council Home Care maintain a detailed register of subcontractors used including the subcontractor's name and ABN, the services which the subcontractor is to deliver, the period of the subcontract and any other relevant information. This register is made available to the Department on request.

Victoria Daly Regional Council Home Care remains responsible for the delivery of CHSP and HCP services, regardless of any subcontracting arrangements and are also responsible for all reporting requirements.

Victoria Daly Regional Council Home Care are responsible for consumer complaints about the services provided by subcontractors and investigate and ensure the complaint is resolved with the subcontractor. The same privacy requirements for consumers as required of Victoria Daly Regional Council Home Care also apply to any subcontractors.

Victoria Daly Regional Council Home Care ensure a Subcontractor Agreement is signed by subcontractors and ourselves and ensure that all subcontractors meet the requirements of the Grant Agreement, the Guidelines and other program requirements and the Aged Care Quality Standards.

¹⁴ Refer to the Australian Government Department of Health [My Aged Care](#) Guidance for Providers and [My Aged Care Provider Portal](#) User Guide. These documents provide Grant Recipients with detailed information on the My Aged Care system.

¹⁵ Australian Government Commonwealth DSS Comprehensive Grant Agreement 2014 Clause 28 Subcontractors p 21

Victoria Daly Regional Council Home Care ensure that subcontractors are complying with the Standards by conducting regular meetings with contractors, reviewing any feedback provided to the contractors and to us regarding service delivery, requesting and receiving a copy of the subcontractors' continuous improvement plan and risk plan each six months and conducting internal audits of their operations if determined necessary.

In addition, any subcontractors delivering services provide us with information annually on police checks of their staff (See 7.3.10 (ii) Police check, for details.) and details of relevant registrations and insurances.

Where a complaint regarding a subcontractor is made to the Department, Victoria Daly Regional Council Home Care liaise with the Department and ensure the subcontractor complies with all reasonable requests, directions and monitoring requirements requested by the Department.

1.3 DIGNITY AND RESPECT FOR CONSUMERS

1.3.1 SERVICE DELIVERY PRINCIPLES

Victoria Daly Regional Council Home Care is committed to the service delivery principles underpinning the CHSP and HCP program and ensures the principles are implemented and followed in practice by ensuring they underpin:

- Our policies and procedures in all aspects of service management and service delivery
- Position descriptions and other role specifications
- Checklists, forms and other documents
- Senior management and staff training
- Information to and engagement with consumers including working in partnership with consumers
- The implementation and evaluation of improvements to our services and organisation.

Whilst there are different principles for CHSP and HCPs the principles of both are applied across all service delivery as appropriate.

All staff are provided with a copy of this section of the Policies and Procedures Manual (see Staff Volunteer Orientation Checklist) and with opportunities to discuss the way we relate to and work with consumers through meetings, training and ad-hoc interactions.

(See also 1.4.3 Fostering Choice and Independence.)

i) Commonwealth home support programme

The service delivery principles identified by CHSP are:¹⁶

- Establish consumer consent to receive services as a prerequisite for all service delivery.
- Promote each consumer's opportunity to maximise their independence, autonomy and capacity and quality of life through:
 - being consumer-centred and providing opportunities for each consumer to be actively involved in addressing their goals
 - focusing on retaining or regaining each consumer's functional and psychosocial independence, and
 - building on the strengths, capacity and goals of individuals.
- Provide services tailored to the unique circumstances and cultural preference of each consumer, their family and carers.
- Ensure choice and flexibility is optimised for each consumer, their carers and families.
- Invite consumers to identify their preferences in service delivery and where possible honor that request.
- Ensure services are delivered in line with a consumer's agreed support plan to ensure their needs are being met as identified by the Regional Assessment Service (RAS).

¹⁶ Australian Government Department of Health Commonwealth Home Support Programme - Program Manual 2018 p 9

- Emphasise responsive service provision for an agreed time period and with agreed review points.
- Support community and social participation opportunities that provide valued roles, a sense of purpose and personal confidence.
- Develop and promote strong partnerships and collaborative working relationships between the person, their carers and family, support workers and the RAS.
- Develop and promote local collaborative partnerships and alliances to facilitate consumers' access to responsive service provision.
- Have a consumer contribution policy in place which is publicly available.
- Establish the consumer contribution for services delivered with the consumer prior delivering any services.

ii) Home care package - consumer directed care principles¹⁷

Consumers who are provided support through a Home Care Package receive their support on a Consumer Directed Care (CDC) basis. The following principles apply in our delivery of CDC packages:

- Consumers have rights
- Consumers have choice and control
- A respectful and balanced partnership is developed
- Consumers participate in all decisions concerning them
- Services are delivered within a wellness and reablement approach
- There is complete transparency in everything related to the consumer.

The following (taken from the Home Care Packages Programme Operational Manual 2015) reflects Victoria Daly Regional Council Home Care's approach to the provision of CDC packages as well as CHSP services:

*CDC is both a philosophy and an orientation to service delivery. It is a way of delivering aged care services that gives consumers greater flexibility by allowing them to make choices about the types of care and services they access and how those services are delivered.*¹⁸

(See also 1.4.3 Fostering Choice and Independence.)

1.3.2 CULTURAL SAFETY OF CONSUMERS

*Culturally safe care can be defined as care provided in an environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening.*¹⁹

¹⁷ Australian Government Department of Health Home Care Packages Program Operational Manual 2015

¹⁸ Australian Government Department of Health Home Care Packages Program Operational Manual 2015 p 14

¹⁹ Williams, Robyn Cultural safety: what does it mean for our work practice? Australian and New Zealand Journal of Public Health. 23(2): 213-214 2008. Cited in Aged Care Quality Standards Standard 4: Services and Supports for Daily Living June 2018 p 82

To ensure that consumer assessment, planning and service delivery for consumers is conducted in a culturally safe manner the following strategies are utilised:

- All staff receive training in ensuring cultural safety from an individual perspective and an organisation perspective
- Cultural considerations that may apply to the consumer are identified from the referral, from the consumer in the Service Commencement Meeting and ongoing, and from other people the consumer has identified as involved in their care including family or others
- Explore for any other key issues that may be relevant to the consumer's cultural background
- Requirements to ensure cultural safety are implemented as appropriate during assessment, support planning and service delivery
- Information is provided to support staff and
- Service delivery is monitored to ensure cultural safety.

Further information on cultural safety is included in 1.3.7 Consumers with Special Needs and 2.3.5 Service Commencement/iii) Cultural Safety of Consumers.

1.3.3 SPIRITUAL SUPPORT

We are committed to providing spiritual support to consumers through our understanding and adoption of the principles outlined in the National Guidelines for Spiritual Care in Aged Care.²⁰ We understand that spirituality is not just religion or pastoral care, but a philosophy that supports the delivery of care and support that provides:

- Respect and acceptance
- Compassion and empathy
- Inclusion and diversity and
- Dignity.

We explore consumer's spiritual needs in the assessment and planning process, and where we can, we support people to access resources that promote spiritual comfort and development such as audio-visual resources, churches, other places, groups and other contacts. (See also 2.3.6 Support Plans/i) General.)

1.3.4 EMOTIONAL AND PSYCHOLOGICAL SUPPORT

Victoria Daly Regional Council Home Care believes that emotional and psychological wellbeing of consumers is facilitated through the provision of safe and effective services through:

- Providing access to services that support consumers to develop their confidence, make social connections and participate in their community (see 4.3.1 Social Support - Group)
- Seeing consumers as a partner in the service (see 2.3.2 Partnering with Consumers)
- Recognising a person's spiritual needs and supporting them in their achievement (see 1.3.3 Spiritual Support)

²⁰ Meaningful Ageing Australia National Guidelines for Spiritual Care in Aged Care 2016

- Recognising a person's emotional and psychological needs and supporting them in their achievement (see 1.3.4 Emotional and Psychological Support).

All staff involved in direct contact with consumers participate in discussions at staff meetings on strategies to promote consumer's emotional, spiritual and psychological wellbeing.

We believe emotional and psychological needs include the need for:

- Recognition
- Self-esteem
- Connection
- Security
- Variety
- Growth and
- Sexuality (if expressed by the consumer).

We explore consumer's emotional and psychological needs in the assessment and planning process, and where we can, we support people to fulfil these needs through our interactions and through the provision of care and services in ways that respect these needs. For example, recognition of a person's strengths can enhance self-esteem, make a person feel recognised and facilitate connection. Our service delivery supports security and variety and our focus on independence supports growth.

1.3.5 SUPPORT FOR CARERS

Victoria Daly Regional Council Home Care recognises the crucial role that carers play in supporting consumers to live in the community and has adopted the principles incorporated in the *Statement for Australia's Carers* under the Carer Recognition Act 2010, including the following:

1. All carers have the same rights, choices and opportunities as other Australians, regardless of age, race, sex, disability, sexuality, religious or political beliefs, Aboriginal or Torres Strait Islander heritage, cultural or linguistic differences, socioeconomic status or locality.
2. Children and young people who are carers have the same rights as all children and young people and are supported to reach their full potential.
3. Carers are acknowledged as individuals with their own needs within and beyond the caring role.
4. The relationship between carers and the persons for whom they care is recognised and respected.
5. Carers are considered as partners in the provision of care, acknowledging their unique knowledge and experience.
6. Carers are treated with dignity and respect.
7. Carers are supported to achieve greater economic wellbeing and sustainability and, where appropriate, and are provided with opportunities to participate in employment and education.
8. Support for carers is timely, responsive, appropriate and accessible.²¹

²¹ Cited in Australian Government Department of Health Commonwealth Home Support Programme - Program Manual 2018 p 12

These principals underpin our Centre Based Respite program which provides carers with a break from the caring role and time where they can focus on their own needs knowing that the person they care for is in a stimulating and caring environment.

1.3.6 CONSUMER RIGHTS AND RESPONSIBILITIES

Consumers are the focus of Victoria Daly Regional Council Home Care operations and it is important that their rights are acknowledged and promoted at every opportunity and that they are aware of their responsibilities as consumers. Consumer rights and responsibilities are implemented in the same ways within Victoria Daly Regional Council Home Care as are the service delivery principles. (See 1.3.1 Service Delivery Principles)

Information on rights and responsibilities is included in the Consumer Handbook and the Home Care Agreement. These documents are updated as per 8.8: Regulatory Compliance, whenever advice is received from the Department of Health that the Charter has been revised.

Consumers are also provided with a copy of the Charter of Rights and Responsibilities for Home Care. The current Charter is available at the Department of Health website²².

i) Consumer rights²³

Consumers have the following rights:

General

- to be treated and accepted as an individual, and to have his or her individual preferences respected
- to be treated with dignity, with his or her privacy respected
- to receive care that is respectful of him or her, and his or her family and home
- to receive care without being obliged to feel grateful to those providing the care
- to full and effective use of all human, legal and consumer rights, including the right to freedom of speech regarding his or her care
- to have access to advocates and other avenues of redress
- to be treated without exploitation, abuse, discrimination, harassment or neglect.

Consumer directed care - choice and flexibility

- to be supported by the approved provider:
 - to set goals in relation to the outcomes he or she seeks from home care
 - to determine the level of ongoing involvement and control that he or she wishes to have in the provision of the home care
 - to make decisions relating to his or her own care
 - to maintain his or her independence as far as possible

²² Australian Government Department of Health and Ageing Charter of Rights and Responsibilities for Home Care (Effective 27 February 2017)

²³ Australian Government Department of Health and Ageing Charter of Rights and Responsibilities for Home Care (Effective 27 February 2017)

- to choose the care and services that best meet his or her goals and assessed needs and preferences, within the limits of the resources available
- to have choice and flexibility in the way the care and services are provided at home
- to participate in making decisions that affect him or her
- to have his or her representative participate in decisions relating to his or her care if he or she requests it or if he or she does not have capacity
- to choose the approved provider that is to provide home care to him or her, and to have flexibility to change that approved provider if he or she wishes.

Consumer directed care - care and services

- to receive reliable, coordinated, safe, quality care and services which are appropriate to meeting his or her goals and assessed needs
- to be given before, or within 14 days after, he or she commences receiving home care, a written plan of the care and services that he or she expects to receive
- to receive care and services that take account of his or her other care arrangements and preferences
- to ongoing review of the care and services he or she receives (both periodic and in response to changes in his or her personal circumstances), and modification of the care and services as required.

Consumer directed care - individualised budget and monthly statement of available funds and expenditure

- to receive an individualised budget for the care and services to be provided
- to have his or her individualised budget reviewed and, if necessary, revised if:
 - the care and services to be provided, or the costs of providing the care and services, change; or
 - he or she requests the approved provider to review and, if necessary, revise the individualised budget
- to receive a monthly statement of the funds available and the expenditure in respect of the care and services provided during the month.

Personal information

- to privacy and confidentiality of his or her personal information
- to access his or her personal information.

Communication

- to be helped to understand any information he or she is given
- to be given a copy of this Charter
- to be offered a written agreement that includes all agreed matters
- to choose a person to speak on his or her behalf for any purpose.

Comments and complaints

- to be given information on how to make comments and complaints about the care and services he or she receives
- to complain about the care and services he or she receives, without fear of losing the care or being disadvantaged in any other way
- to have complaints investigated fairly and confidentially, and to have appropriate steps taken to resolve issues of concern.

Fees

- to have his or her fees determined in a way that is transparent, accessible and fair
- to receive invoices that are clear and in a format that is understandable
- to have his or her fees reviewed periodically and on request when there are changes to his or her financial circumstances
- not to be denied care and services because of his or her inability to pay a fee for reasons beyond his or her control.

ii) Consumer responsibilities

General

- to respect the rights of care workers to their human, legal and workplace rights including the right to work in a safe environment
- to treat care workers without exploitation, abuse, discrimination or harassment.

Care and services

- to abide by the terms of the written home care agreement
- to acknowledge that his or her needs may change and to negotiate modifications of care and service if his or her care needs change
- to accept responsibility for his or her own actions and choices even though some actions and choices may involve an element of risk.

Communication

- to give enough information to assist the approved provider to develop, deliver and review a care plan
- to tell the approved provider and their staff about any problems with the care and services
- before the consumer changes approved providers, to tell the approved provider and their staff of the day the consumer intends to cease to receive home care services from the approved provider.

Access

- to allow safe and reasonable access for care workers at the times specified in his or her care plan or otherwise by agreement
- to provide reasonable notice if he or she does not require home care to be provided on a particular day.

Fees

- to pay any fees as specified in the agreement or to negotiate an alternative arrangement with the provider if any changes occur in his or her financial circumstances.

iii) Consumer rights under consumer law

In addition to our responsibilities under the Aged Care Act 1997 and other relevant legislation, we ensure the following under Australian Consumer Law²⁴:

- We provide clear, honest and complete information about our services to consumers, including information displayed on the My Aged Care website
- We give consumers time to make their decisions and ask for help if they need to
- We avoid pressuring consumers and adopting commission-based business models which might lead to pressure selling
- We make sure all the terms in our agreements are fair for all parties
- We provide a clear and easy dispute resolution process.²⁵

1.3.7 CONSUMERS WITH SPECIAL NEEDS

Special needs groups can encounter barriers that reduce the capacity of individuals and/or communities to access home care services and receive care appropriate to their needs. All Victoria Daly Regional Council Home Care staff receive information and training, as appropriate, in understanding, valuing and working with people from special needs groups.

i) Special needs groups

People with special needs, defined at section 11-3 of the *Aged Care Act 1997*, are listed below:

- People from Aboriginal and Torres Strait Islander communities
- People from culturally and linguistically diverse backgrounds (CALD)
- People who live in rural or remote areas
- People who are financially or socially disadvantaged
- Veterans
- People who are homeless or at risk of becoming homeless
- Care leavers
- Parents separated from their children by forced adoption or removal
- Lesbian, gay, bisexual, transgender and intersex people (LGBTI).

Other people whose need Victoria Daly Regional Council Home Care believes need to be recognised and addressed include:

- People with dementia

²⁴ Australian Government *Competition and Consumer Act 2010*

²⁵ Taken from Department of Health advisory email: Home Care Providers – Know your Rights and Obligations 6 August 2018

- People with disability
- People with mental health issues.

ii) Strategies for meeting the needs of consumers with special needs

Victoria Daly Regional Council Home Care meets the needs of people with special needs through a range of strategies including:

- Identifying the special needs groups in the community including: people from Aboriginal and Torres Strait Islander communities; people from culturally and linguistically diverse backgrounds; people who live in rural and remote areas; people who are financially or socially disadvantaged; veterans; people who are homeless, or at risk of being homeless; people who identify as lesbian, gay, bisexual, transgender or intersex; people who are care leavers; and parents separated from their children by forced adoption or removal
- Training staff in understanding and respecting the special needs of consumers in our community
- The provision of written information in key languages/spoken word (through My Aged Care) and the use of cue cards
- The use of interpreter services
- Ensuring family members are aware of key information and have a copy of written information
- Regular review and explanation of key service information from the Consumer Handbook, such as the assessment and review processes, services available, user rights, complaints and advocacy
- Referral to agencies who specialise in assisting particular people such as People with Disabilities for the provision of advocacy assistance or the Association for the Blind for people with blindness or vision impairment
- Arranging for relevant resources such as big number key telephones for people with impaired sight or the telephones suitable for people with hearing impairment
- Using specialist equipment where necessary
- Adjusting staff skill, numbers and staff times to best meet consumer needs.

To effectively understand and meet the needs of consumers with special needs the Consumer Care Coordinator spends the necessary time to fully explore with the consumer and/or their carer/representative the above points throughout the assessment and support planning process.

In addition to the above Victoria Daly Regional Council Home Care has committed to trialling the strategies for Achieving Outcomes for Consumers described in the Aged Care Diversity Framework²⁶.

iii) Strategies for particular consumer groups

Aboriginal and Torres Strait Islander consumers

Victoria Daly Regional Council Home Care endeavours to provide Aboriginal and Torres Strait Islander consumers with culturally appropriate services, and where possible, services

²⁶ Australian Government Department of Health Aged Care Sector Committee Diversity Sub-group Aged Care Diversity Framework December 2017 pp 9-10

delivered by Aboriginal and/or Torres Strait Islander staff. We work closely with local agencies including the Aboriginal Liaison Officer at the hospital to ensure that services are culturally appropriate and that consumers are supported whilst accessing and receiving support.

The Consumer Care Coordinator ensures that the information regarding reviews, support plan and services is clearly explained and understood by the consumer and their family.

Consumers who do not speak english

If a person does not speak English the Translating and Interpreting Service (TIS) is used. If the person has a family member with them, they are used as the interpreter if this is acceptable to the consumer. A staff person may also be used if available.

We utilise Department of Health translated information brochures and also translate other key documents to ensure our large Italian consumer base is provided with information in a format understandable to them.

In supporting these consumers, we have regard for each individual's diversity, by taking into account their individual interests, customs, beliefs and backgrounds. We use the National Ageing and Aged Care Strategy for People from Culturally and Linguistically Diverse (CALD) Backgrounds to support our staff training and we ensure the cultural safety of people from CALD backgrounds (see 1.3.2 Cultural Safety of Consumers).

Consumers who do not read or write

In cases where the consumer does not read or write, the Consumer Care Coordinator makes sure that the information in the Consumer Handbook, and information regarding the assessment, reviews, service plans and services is clearly explained and understood by the consumer and/or their carer.

Consumers who are blind or vision impaired²⁷

Consumers who are blind or vision impaired are provided with information in large text or recordings. Information is also conveyed verbally if needed and aids and equipment are individualised in consultation with the consumer. Our staff can support consumers who have support from an assistance or guide dog.

Consumers are also asked what their support needs are in relation to their vision and when necessary we work with specialist agencies such as Vision Australia with the consumer's consent.

Consumers with dementia or cognitive impairment

To ensure effective services that meet a person's needs are delivered to people with dementia and/or cognitive impairment we: provide access to specialised training to the Consumer Care Coordinator and Support Workers through Alzheimer's NT or DBMAS or other appropriate specialist organisations. We make available resources such as Caring for Someone with Dementia – My Aged Care and information from the [Dementia Australia](#) website.

²⁷ Department of Health Information for Aged Care Providers Newsletter Issue 12 August 2018

Staff are advised and encouraged to contact the National Dementia Helpline (1800 100 500) [Dementia Support Australia](#) (1800 699 799) or other specialist services if they have any questions about dementia or other special needs, or need some advice on the best way to support a consumer. As with all consumers, but particularly with people with special needs, we work closely with the consumer and their representative/s to better to know the person and develop some understanding of their needs and associated behaviours. Dementia is experienced differently by each person and we seek to recognise and respond individually to these changes. We make every effort to make sure that services are delivered in an appropriate and sensitive way to all people, and in particular, to people with dementia and cognitive impairment.

We maintain close links with a person's representative/s and encourage them to provide feedback to us and offer them information on the supports available.

Gay, lesbian, bisexual, transgender and intersex (GLBTI) consumers

The Australian Government is committed to ensuring services provided to older gay, lesbian, bisexual, transgender and intersex (GLBTI) people are provided with appropriate supports and provided inclusive care and services in an environment free from discrimination, oppression and abuse.

We follow the principles outlined in the GRAI (GLBTI Rights in Ageing Inc.) Best Practice Guidelines (2015) by providing:

- Inclusive and safe environment. We do this by:
 - Considering sexual orientation and gender identity during assessment and ongoing
 - Providing information to consumers and staff that outline our GLBTI inclusive environment
- Open communication. We do this by:
 - Avoiding assumptions of sexual orientation and gender
 - Encouraging open ended, non-gender specific, non-discriminatory questions and language
 - Including identified significant others in support planning as expressed by consumers
 - Speaking openly about GLBTI issues where appropriate
- GLBTI-sensitive practices. We do this by:
 - Including sexual orientation and/or gender (male, female, other) in assessment documentation and seeking permission to record this
 - Provide resources from GLBTI organisations and support groups
- Staff education and training. We do this by:
 - Providing staff with the GRAI Best Practice Principles and other resources as applicable
- We have GLBTI-inclusive organisational policies and procedures.

iv) Ensuring the safety of special needs consumers

Strategies we employ to ensure the safety of special needs consumers include:

- Providing a safe and comfortable environment consistent with consumers care needs and staff/volunteer safety

- Making sure staff or volunteers are available who can effectively communicate with consumers with language or other communication issues
- Providing special equipment or facilities as required to meet individuals needs
- Monitoring the safety of consumer's homes appropriate to the support they receive
- The identification and monitoring of risks to vulnerable consumers such as bush fire risks and risks associated with heat and cold (see Section 3.2.6 Monitoring Health and Wellbeing in Natural Disasters).

1.4 CONSUMER CHOICE AND INDEPENDENCE

1.4.1 SUPPORT FOR CONSUMERS

Consumers are supported to exercise choice and independence and to live the best life they can, through:

- Providing them and their representative/s with written information on their rights (see Consumer Handbook)
- Reinforcing the information verbally on commencement with us and at reviews (see 2.3.5 Service Commencement and Assessment and Table 2.3.1: Service Commencement Checklist)
- Inclusion in the Service Commencement Checklist items that support choice and independence (see Table 2.3.1: Service Commencement Checklist)
- Consumer involvement in assessment and support planning (see Section 2. Assessment and Planning) and signed agreement to the support plan
- Obtaining consent from the consumer for receiving information from and providing information to other parties (see Table 2.3.1: Service Commencement Checklist)
- Clear channels for consumer communication with our service (see 1.4.5 Consumer Communication)
- Staff training in supporting consumers (see 7.4.3 Staff Education and Training/ii) Mandatory training and iii) Non-mandatory training).

1.4.2 CONSUMER PREFERENCES

Consumer assessments and support planning are conducted by the Consumer Care Coordinator with a focus on:

- Fostering consumer choice and control
- Identifying the individual's strengths and abilities
- Maintaining consumer independence
- Promoting mobility and dexterity in activities of daily living
- Maintaining social networks including family and community links.

Support plans are developed using a wellness approach and focus on strategies to promote and foster consumers' independence. Detailed support plans are developed that ensure the strengths of consumers are recognised and built on and not undermined through the delivery of support in areas where the consumer can manage. Support planning may include sourcing services and supports, equipment and aids or fostering community connections.

A copy of the support plan is maintained in the consumer's home (for in-home services) to ensure the consumer understands:

- The supports provided
- Areas where a service/support is not provided
- Their role in the support process and in ensuring their independence and
- To ensure all support workers deliver consistent support in accordance with the support plan.

In the assessment and support planning process consumers are encouraged to express their preferences in how services are delivered and we endeavour to meet their preferences as much as possible subject to organisational and staffing constraints and the requirements of the funding guidelines. Consumer preferences are explored with consumers in the development of the support plan and are noted on the support plan against each area of support. All care and services are delivered as per the support plan. Areas where consumer's preferences can be met include:

- Care and services to be provided
- Preferred quantities of service
- Preferred days and times for services
- Cultural and personhood preferences (see 1.3.4 Consumers with Special Needs)
- Spiritual preferences (see 1.3.5 Spiritual Support)
- Choice of support worker – gender, cultural background, spiritual background where possible. We endeavour to recruit staff from a range of cultural backgrounds to assist in understanding and meeting cultural, linguistic and spiritual preferences relevant to our local demographics
- Individual preferences in how services are provided – e.g. personal care, choice of activities that most suit the consumer's needs and preferences
- Connections with other people – support to maintain connections or establish new connections (see 1.4.4 Inclusion in Community)
- Involvement of other people in the consumer's care (see Section 2. Assessment and Planning).

1.4.3 FOSTERING CHOICE AND INDEPENDENCE

i) Wellness and reablement

A wellness approach to service delivery is embedded in Victoria Daly Regional Council Home Care from assessment through to support planning and service delivery.²⁸ Assessment and planning applies the principles identified in the wellness and reablement framework for CHSP, to both CHSP and HCP consumers equally.²⁹ These include:

- Interpreting the My Aged Care support plan with a wellness approach in mind and consulting with the consumer
- Working with individuals and their carers, as they seek to maximise their independence and autonomy
- Building on the strengths, capacity and wishes of individuals, and encouraging actions that promote self-sufficiency
- Embedding a cultural shift from 'doing for' to 'doing with' across service delivery
- Being alert to changing circumstances and goals of the consumer and consulting with the My Aged Care Regional Assessment Services where appropriate to review the consumer's support plan; and

²⁸ Australian Government Department of Health [Maximising Independence – Wellness And Reablement Approaches](#) (Pertaining to CHSP) June 2018

²⁹ Australian Government Department of Social Services Living Well at Home: CHSP Good Practice Guide Commonwealth Home Support Programme July 2015

- Consulting the Living well at home: CHSP Good Practice Guide to assist in the development of good practices within a wellness approach.³⁰

In addition, we adopt the CHSP principles for maximising independence and wellness, including:

- Actively working towards embedding a wellness approach in our service delivery practices through developing an implementation plan outlining our approach to embedding wellness in service delivery³¹
- Reviewing the Consumer's assessment and support plan to ensure that service provision is targeted towards assisting consumers to achieve their agreed goals
- Offering choice to consumers, where practicable, on their service delivery preferences
- Accepting referrals to deliver short-term services as well as ongoing services
- Reviewing the consumer's support services (12 monthly as a minimum).³²

All staff must complete wellness training. The importance of the approach and what it means for the consumer is discussed with the consumer at the service commencement visit.

ii) Consumer directed care³³

We offer Consumer Directed Care as part of our Home Care Packages to maximise the consumer's choice, control and decision-making opportunities; to foster wellness and reablement, and foster their connection with carers, family and their community (as they wish).

We consult with consumers regarding their preferences for support and care based on their own goals. If we cannot accommodate the consumer's preferences we negotiate with the consumer and document the issues in their records. We may decline a request from a consumer when:

- The proposed service may cause harm or pose a threat to the health and/or safety of the consumer or staff
- The proposed service is outside the scope of the Home Care Packages Program
- We would not be able to comply with its responsibilities under aged care legislation or other Commonwealth or state/territory laws
- The consumer wants to access a service provider outside our preferred list of service providers and all reasonable effort has been made to broker an acceptable sub-contracting arrangement
- The requested service provider will not enter into a contract with us
- There have been previous difficulties or negative experiences with the consumer's suggested service provider

³⁰ Australian Government Department of Social Services Living Well at Home: CHSP Good Practice Guide Commonwealth Home Support Programme July 2015 p 9

³¹ Australian Government Department of Health Commonwealth Home Support Programme - Program Manual 2018 p 30 2.6 Service Provider Responsibilities p 30.

³² Australian Government Department of Health CHSP Funding Extension 21 July 2018 (web document)

³³ Australian Government Department of Health Home Care Packages Program Operational Manual December 2015 p14

- Situations in which a consumer may want to go without necessary clinical services (resulting in a possible compromise of their health and/or wellbeing) in order to “save” for a more expensive non-clinical service
- The cost of the service/item is beyond the scope of the available funds for the package.

iii) Consumer management of home care packages

Consumers are encouraged to be involved in managing their Home Care Package. This can include the services they require, contacting service providers, negotiating fees, scheduling service provision and monitoring the quality of services provided. The level of consumer involvement and control that has been agreed is documented in the consumer's support plan. This may vary over time as the consumer's needs change and any changes are included in the support plan.³⁴

We do not generally contract service provision to informal carers, family members or friends but if the consumer requests that support is provided by these people, the Manager reviews the request with consideration to:

- Elder abuse safeguards
- Our responsibility for service quality, including the need to include the person providing the service in our employee, volunteer or sub-contractor systems
- Legal responsibilities, including ensuring that police check requirements are met
- Industrial implications
- Insurance requirements
- Workplace health and safety and
- Qualifications and training required to provide certain types of care.

A meeting is held with the consumer and/or representative and the Manager to discuss these issues and, if appropriate and safe, consideration can be given to the consumer's request. If granted, the arrangements are regularly monitored as part of the case management process.

iv) Consumer choice and risk

(See 8.10.7 Consumer Choice and Risk.)

1.4.4 INCLUSION IN COMMUNITY

i) Consumer participation in community

Victoria Daly Regional Council Home Care recognises that an important strategy in maintaining and developing independence is for consumers to maintain their links in the community. This is explored with consumers in the service commencement meeting as part of the assessment and planning process (see 2.3.5 Service Commencement and Assessment/i) Service commencement meeting).

Consumers are encouraged to access support and maintain community links with family, friends, community groups and resources, as appropriate to their circumstances and needs.

³⁴ Australian Government Department of Health Home Care Packages Program Operational Manual December 2015 p 29

We assist consumers in identifying resources, contacting them and accessing them (see 4.2.3 Consumer Participation in their Community/ii) Referrals to other agencies).

ii) Strategies to support community participation

Consumer participation in their community is achieved through Victoria Daly Regional Council Home Care's Recreational and Social Activities Program. To foster participation Victoria Daly Regional Council Home Care:

- Identifies consumer interests and physical, social, emotional, psychological and cultural needs of consumers and updates this information on an ongoing basis in their file notes and/or on their support plan so that all staff are aware of them and activities can be tailored to consumers preferences
- Involves consumers in identifying preferred activities and encourages activities that take place in the community and that establish new or maintain existing connections for consumers
- Provide support and services, within the parameters of the program, that promote participation in the community
- Develops programs that bring people together in a stimulating and interesting environment, both inside and outside of Victoria Daly Regional Council Home Care, where they can freely choose from a variety of activities that meet their needs and preferences based on both small and large groups
- Involves consumers in providing feedback on activities on an ongoing basis through seeking feedback after each activity and encouraging new activities
- Ensures staff are aware of consumer individuality and their right to participate in things that are of interest to them and of their right to not participate
- Ensures staff are attentive to the consumer's level of independence and promote independence in activities and relationships
- Provides staff with flexibility, balanced against operational needs, where it facilitates participation in the community
- Promotes the development of relationships between consumers that may be maintained outside of our services in preference to staff/consumer relationships
- Provides information and assistance, within program boundaries, to connect consumers to other community events and resources which meet their needs, interests and preferences (see below iii) Referrals to other agencies)
- Work with family members/representatives to identify and clarify their role in ongoing care and services (see 2.3.2 Partnering with Consumers).

iii) Referrals to other agencies

Consumers requesting information and/or assistance to contact other community services such as social groups, information providers or government agencies are provided with assistance as needed and the referral is noted in their consumer record.

Consumers who want or require referrals in relation to their assessed needs and current support plan are referred to appropriate agencies as per the following:

The Consumer Care Coordinator, a Programme Coordinator or a Support Worker:

- Liaises with the consumer and/or their representative to clarify the requirements from another agency
- Identifies, with the consumer, appropriate agencies
- Identifies referral options and discusses these with the consumer
- Obtains consent to liaise with other agencies on behalf of the consumer
- Contacts other appropriate agencies to discuss the needs of the consumer
- Refers the consumer to the agency using a Referral to Another Agency form
- Follows up with the consumer and/or provider referred to, to check on the outcome of the referral
- Provides any further information to the other provider as required
- Documents the referral in the consumer records
- Advises the Coordinator of any new agencies that should be included in our community resources information or of changes to current information on agencies.

iv) Victoria Daly Regional Council Home Care community involvement

Community involvement is important in promoting awareness and referrals to Victoria Daly Regional Council Home Care, identifying resources relevant to our consumers and establishing relationships to facilitate referrals and links to the community. The Manager, Coordinator, Team Leaders, Consumer Care Coordinator and other personnel network and liaise with other stakeholders including My Aged Care, the ACATs and RASs, other community care providers, referrers, hospitals, residential and transition care providers, allied health professionals, medical practitioners and others as relevant.

Victoria Daly Regional Council Home Care staff also participate in the following community activities:

- Regional network meetings and
- Program forums and
- ACSWA where we can contribute to ACSWA policy positions in relation to community care.

The Manager and/or Coordinators regularly visit (at least twice a year) key service providers to:

- Promote the service
- Exchange information on community needs
- Discuss any issues and
- Explore areas for improvement in consumer coordination and the delivery of services.

v) Community resources information

We maintain information on community resources to ensure:

- Appropriate agencies/providers in the community are identified
- Agencies are provided with information about us and
- Staff have access to information on available resources to facilitate effective referrals and consumer links to the community.

The Manager and Coordinators, through their networking activities are responsible for ensuring that the community resources information is complete and up to date. The Team Leaders are responsible for ensuring adequate supplies of current brochures, community information booklets etc.

1.4.5 CONSUMER COMMUNICATION

To ensure consumers feel comfortable about communicating their decisions, preferences, feedback and any other information to Victoria Daly Regional Council Home Care staff and senior management, the following processes are in place:

- Consumers are encouraged by all staff and management to voice their decisions and any other concerns or feedback either directly to staff or in writing if preferred
- We adopt an open disclosure policy and processes to ensure open and timely communication with consumers
- All staff are required to attend training in encouraging and supporting consumers to communicate their decisions.
- Information conveyed verbally is documented and forwarded to relevant staff (see 7.4.3 Staff Education and Training/iii) Non-mandatory training, Section 8.9 Continuous Improvement, Table 2.3.1: Service Commencement Checklist)
- On service commencement, at reviews and whenever appropriate, consumers are provided with written information and verbal explanations on their rights, including their right to exercise choice and independence, the feedback and complaints processes and advocacy processes (see Consumer Handbook, 1.5.3 Consumer Agreements/i) Home care agreement)
- Assessment and support planning processes emphasise consumer input and the forms used include sections to record consumer preferences and choices (see Section 2: Assessment and Planning)
- Consumers are provided with Tell Us What You Think forms and are encouraged to use them to communicate any concerns or positive feedback (see 8.9.6 Continuous Improvement Forms)
- Consumers are provided with a two-monthly newsletter letting them know of any news about Victoria Daly Regional Council Home Care including changes that affect them, improvements that have been made and future plans. The Administration Team are responsible for this
- For consumers in special needs groups we facilitate their communication with us through a range of strategies relevant to their needs and encourage them and their representatives to communicate their decisions, preferences and feedback (see 1.3.4 Consumers with Special Needs/iii) Strategies for particular consumer groups).

1.5 INFORMATION FOR CONSUMERS

1.5.1 GENERAL

Information is provided to consumers verbally as required and in written form. We include a copy of our consumer handbook on our website and can provide information resources (such as information on My Aged Care) translated into other languages or spoken word for those consumers who require it. This section describes the information resources provided to consumers.

Procedures relevant to consumers that are referenced in the written resources are included in sections 1.5.2 Consumer Handbook through to 1.7 Change to Services, as well as throughout the Policies and Procedures Manual.

1.5.2 CONSUMER HANDBOOK

Victoria Daly Regional Council Home Care utilises a Consumer Handbook to ensure key information is available to all (HCP and CHSP) consumers and/or their representatives in an easily understood format. At a consumer's commencement meeting the Client Care Coordinator provides the consumer and/or their representative with a Consumer Handbook and guides them through it whilst providing an explanation of key points.

(See 2.3.5 Service Commencement and Assessment/i) Service commencement meeting.)

A copy of the Consumer Handbook is also provided to all staff and Board members to ensure they are familiar with the information.

i) Changing the consumer handbook

The Consumer Handbook is maintained up to date by the Coordinator HCP's and the Coordinator CHSP. When information in the Handbook changes the Coordinators:

- Update the Handbook
- Confirm changes with the manager and decide if it is necessary to advise existing consumers of the changes and how to do so. Options include providing a copy of the updated Handbook, verbal advice, the newsletter or a letter advising of changes
- Advise staff of the changes through training, meetings and handover processes.

ii) Content of the consumer handbook

The Consumer Handbook includes the following information:

- Overview of Victoria Daly Regional Council Home Care (See 8.2 About Victoria Daly Regional Council Home Care)
- Contacting Victoria Daly Regional Council Home Care
- Available support (1.2 Services Provided)
- How to access support and the intake process (see 2.2 Consumer Referrals)
- The consumer's right to be treated with dignity and respect and to be fully involved in making choices about the care and services they will receive (see 1.3 Dignity and Respect for Consumers)
- Assessment including promoting independence (see 2.3 Assessment and Planning)

- Support planning (see 2.3.6 Support Plans and 3.2.1 Assessment and Support Planning Processes)
- Keeping well
- Reviews (see 2.4 Consumer Reviews)
- Changes to support (see 1.7.4 Change in Consumer Circumstances)
- Fees policy, schedule of fees, fee reductions and options for paying (see 8.5 Consumer Fees)
- Keeping appointments (see 1.7.9 Keeping Appointments)
- Changing Home Care Providers (see 1.7.11 Consumers Moving to Another Home Care Provider)
- Exit Amount (see 1.7.11 Consumers Moving to Another Home Care Provider/iii) Exit amount)
- Unspent Home Care Funds (see 1.7.11 Consumers Moving to Another Home Care Provider/ii) Unspent home care funds)
- Privacy of information including rights and requirements of the Privacy Act (see 1.6: Privacy and Confidentiality)
- Making a complaint or providing feedback (see Section 6: Feedback and Complaints)
- Right to an advocate (see 6.4 Advocates)
- Rights and responsibilities of consumers (see 1.3.6 Consumer Rights and Responsibilities)
- Consumer rights under consumer law (see 1.3.6 Consumer Rights and Responsibilities/ii) Consumer rights under consumer law).

1.5.3 CONSUMER AGREEMENTS

i) Home care agreement HCP

Home Care Package consumers are offered a Home Care Agreement as soon as possible after being accepted as a consumer. The Home Care Agreement must be signed either by the consumer, or their representative if they are unable to sign as a result of physical incapacity or mental impairment, before HCP services are delivered.

The Agreement is explained to the consumer/representative in the service commencement meeting and we ensure the consumer has adequate time to review and understand the agreement.

The Home Care Agreement specifies, amongst other things:

- The details of what the package will provide
- Who will provide the services
- How much the services will cost
- If an exit amount will be deducted from funds that are left in the package if the consumer chooses to leave Victoria Daly Regional Council Home Care.

Consumer declines to sign the home care agreement

Victoria Daly Regional Council Home Care always offers and is prepared to enter into a Home Care Agreement with consumers; however, if a consumer prefers not to sign the

agreement we still talk with them about how much involvement they would like to have in managing their home care package, as well as helping to design the type of care and services they need.

The reasons for not having a signed Home Care Agreement, the basis of the care the consumer is to receive the date discussed are recorded in a copy of the agreement offered to the consumer and in a file note. In this way, we are able to provide proof that an 'in-principle' agreement is in place and that services are being provided.³⁵

ii) Commencement of service letter CHSP

CHSP consumers are provided with a Commencement of Service Letter that specifies the services provided, the costs and some information about the Consumer Handbook. Detailed information on days and times of service delivery is included on a copy of the Consumer Support Plan, which is provided with the Commencement of Service letter.

1.5.4 SERVICE COMMENCEMENT MEETING

Prior to receiving services all consumers have a service commencement meeting with the Consumer Care Coordinator. At this meeting consumers are provided with the Consumer Handbook and an agreement, both of which are also verbally explained to them. Consumers are encouraged to ask questions about the care and services and operations of Victoria Daly Regional Council Home Care. (See 2.3.5 Service Commencement and Assessment/i) Service commencement meeting.)

³⁵ Australian Government My Aged Care <http://www.myagedcare.gov.au/help-home/home-care-packages/home-care-agreement> February 2017

1.6 PRIVACY AND CONFIDENTIALITY

1.6.1 PRINCIPLES FOR THE COLLECTION OF CONSUMER INFORMATION

Victoria Daly Regional Council Home Care is committed to the principles outlined in the Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012³⁶ and has in place procedures that ensure compliance with the legislation including the protection of sensitive information including health information. The Consumer Handbook outlines our approach to maintaining privacy and confidentiality of consumer information. We use the OAC document, 10 Steps to Protecting Other People's Privacy, as a guide to our privacy processes³⁷.

Management, staff and volunteers are provided with annual training and information on the rights of consumers to privacy and confidentiality and the processes to support this, and as needed when new staff/volunteers commence with the organisation (see Section 7: Human Resource Management).

The key guidelines for respecting consumer privacy and confidentiality in Victoria Daly Regional Council Home Care are:

- Consumers are provided with information on our privacy policy in the Consumer Handbook and our privacy statement is read to consumers during the consent collection process
- Consumer files and other information are securely stored
- We ensure a three-point identification check is conducted when making face to face and telephone contact with new consumers including validating their name, address and date of birth. We seek support from carers and family (who are also identified) if the consumer cannot self-identify. We use other identifying information (e.g. from referral information, such as Medicare number, pension and other documentation) to validate identification
- We take steps to correct information where appropriate and regularly review consumer information to ensure it is accurate and up to date
- We only collect information about consumers that is relevant to the provision of support and we explain to consumers why we collect the information and what we use it for
- Consumers can ask to see the information that we keep about them and are supported to access this information (see 1.6.3 Consumers Right to Access Information)
- Consumers are supported by us should they have a complaint or dispute regarding our privacy policy or the management of their personal information
- All information relating to consumers is confidential and is not disclosed to any other person or organisation without the consumer's permission
- We only share information when it is necessary to ensure appropriate support is delivered and only with the consumer's permission/consent beforehand
- The provision of information to people outside the service is authorised by the Team Leader

³⁶ Australian Government Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012

³⁷ Based on: Australian Government Office of the Australian Information Commissioner [Privacy Fact Sheet 49: Health Information and your Privacy January 2017](#)

- We do not discuss consumers or their support with people not directly involved in supporting them
- Reviews are always conducted in private with the consumer and the Consumer Care Coordinator unless the consumer consents to their carer, advocate or another person being present
- During consumer assessments reviews the Consumer Care Coordinator asks the consumer about any particular privacy requirements they have such as their preference for a male or female support worker. These are noted on their assessment form and on the support plan
- Any discussions between staff about consumers are held in a closed office
- Any references to individual consumers in meeting minutes refer to the consumer by initials only or another unique identifier, such as their consumer number
- We confidentially destroy any personal information held about our consumers when it is no longer necessary to provide support (see 8.11.6 Archiving).

(See 2.3.5 Service Commencement and Assessment/vii Consent and 2.5 Consumer Documentation and Information Sharing).

1.6.2 CONFIDENTIALITY OF COMPLAINTS AND DISPUTES

As far as possible, the fact that a consumer has lodged a complaint and the details of that complaint are kept confidential amongst staff directly concerned with its resolution. Similarly, information on disputes between a consumer and a staff member or a consumer and a carer is kept confidential. The consumer's permission is obtained prior to any information being given to other parties whom it may be desirable to involve in the resolution of the complaint or dispute.

1.6.3 CONSUMERS RIGHT TO ACCESS INFORMATION

Consumers of Victoria Daly Regional Council Home Care have a right to read any personal information kept about them. A request from a consumer (or their advocate) to access information is referred to the Team Leader who confirms the request with the Coordinator and then arranges for the consumer to view their information within 30 days of the request.

Information is provided in a format accessible by the consumer. The consumer can nominate a representative to access their records held by us

The Team Leader is available to assist the consumer in understanding the information and to explain terminology or other assistance.

On advice from our legal representative, access to a consumer's record may be denied. This is discussed with the consumer/advocate should this situation arise.

1.7 CHANGE TO SERVICES

1.7.1 OVERVIEW

Services may be terminated, withdrawn or changed in the following circumstances:

- Occupational health and safety risk to staff/volunteers that can't be rectified
- Inappropriate consumer behaviour
- Change in consumer circumstances that influence eligibility
- The agency ceases to deliver the service.

Each of these circumstances is discussed in detail below. Information specific to HCP consumers is given in 1.7.7 Security of Tenure for Home Care Packages

1.7.2 WORK HEALTH AND SAFETY RISK TO STAFF/VOLUNTEERS

A work health and safety risk (WHS) can arise from a variety of factors including dangerous access to a person's house or dangers inside the house or home environment. These are identified through a Home Safety Checklist conducted when a consumer is first accepted for services or when reviews are carried out or when staff report a danger to their supervisor. Examples of these work health and safety risk issues could include:

- Dangerous steps, verandahs, internal flooring
- Faulty electrical wiring
- Dangerous roofs/ceilings
- Dangerous pets
- Smoking in the immediate vicinity of staff.

Where a WHS risk is identified the Team Leader works with the consumer to remove or reduce the risk to an acceptable level. If this cannot be achieved through reasonable means the Coordinator can decide to cease the provision of services to the consumer where staff are at risk. All consultation, discussions and actions are documented in the consumer record.

1.7.3 INAPPROPRIATE CONSUMER BEHAVIOUR

Inappropriate consumer behaviour includes any behaviour that causes staff to feel that their safety is threatened. This can include direct physical actions or threats, sexual suggestions, wilful exposure and foul language.

If inappropriate consumer behaviour occurs staff immediately leave the consumer's home and report the behaviour to the line manager verbally and complete an Adverse Event Report.

The Team Leader and Coordinator assess the consumer behaviour. If it is found inappropriate the Team Leader discusses this with the consumer and attempts to find a solution to ensure it does not occur again.

If inappropriate consumer behaviour continues after reasonable attempts to curb it the line manager can decide to cease the provision of services affected by the consumer's behaviour, in consultation with senior management. All consultation, discussions and actions are documented in the consumer record.

1.7.4 CHANGE IN CONSUMER CIRCUMSTANCES THAT INFLUENCE ELIGIBILITY

Where consumer's circumstances or condition changes to the point that services are no longer required the line manager can decide to cease the provision of services to the consumer in consultation with senior management. All consultation, discussions and actions are documented in the consumer record.

For example, if a person receiving meals and transport due to hip problems has a hip replacement and regains full mobility they may no longer need the service. Where a person's general well-being increases to a point where they can undertake all acts of daily living independently their services may be withdrawn.

Any changes required are discussed fully with the consumer, and their carer if appropriate, and are fully documented in the consumer record.

1.7.5 THE AGENCY CEASES TO DELIVER SERVICES

If we cease to deliver services, consumers are given maximum notice that the services are ceasing and they are referred to My Aged Care and provided with support during the transition. (See also 8.10.9 Activity Continuity Plan.)

1.7.6 PROCESS FOR TERMINATION, WITHDRAWAL OR CHANGE OF SERVICES

If support to a consumer is terminated, withdrawn or changed the following process applies:

- Obtain approval from senior management
- Give the consumer as much notice as possible with a minimum of 1 (one) month
- Explain face to face to the consumer, and their carer/family if appropriate, why the services are being ceased or changed and any arrangements required for the consumer
- Provide written notice if appropriate including advice that they can appeal to the management, the decision to terminate, withdraw or change their services
- For HCP consumers ensure they are informed of any applicable exit fees and receive any unspent funds available to them. (See 1.5.3 Consumer Agreements.)
- Advise My Aged Care
- Record all relevant information in the consumer record.

1.7.7 SECURITY OF TENURE FOR HOME CARE PACKAGES

Though this section specifically applies to HCPs, Victoria Daly Regional Council Home Care believe both CHSP and HCP consumers have a right to security of tenure of their support services and can expect to continue to receive support unless their needs change significantly and we are no longer able to meet them, we cease to deliver services, or if delivering support puts our staff at risk.

Victoria Daly Regional Council Home Care ensures our consumers fully understand the extent of the security of tenure we can provide by advising consumers when they commence on a package that, at some time in the future, they may not be able to continue on a home care package.

We only support discontinuation of a consumer's HCP if:

SECTION 1: CONSUMER DIGNITY AND CHOICE

- The consumer cannot be cared for in the community with the resources available through the HCP
- The consumer tells us, in writing, that they wish to move to a location where we cannot provide home care
- The consumer advises us, in writing, that they no longer wish to receive the care or
- The consumer's condition changes so that:
 - they no longer need home care or
 - the consumer's needs, as assessed by the ACAT, can be more appropriately met by other types of services or care
- The consumer does not meet his/her responsibilities, as described in the Charter of Rights and Responsibilities for Home Care, for a reason within the consumer's control.³⁸

If a consumer needs to transfer to another type of care we ensure a smooth transition by assisting the consumer to contact My Aged Care.

If a consumer is changing location, we assist them to contact My Aged Care and provide information on available service providers in the new location, if requested. We also coordinate the transfer with the new service provider.

1.7.8 SERVICE CONTINUITY³⁹

Victoria Daly Regional Council Home Care complies with the CHSP Guidelines and the Aged Care Funding Agreement provisions that relate to ensuring continuity of service in the event of an adverse event. As part of our risk management processes, we have developed Activity Continuity Plans which cover:

- Transition out of services – for example, to transition services to another service provider where the Aged Care Funding Agreement has expired or is terminated; and
- Management of serious incidents, particularly management of natural disasters – for example, to continue delivery of services if a fire or flood occurs.

(See 8.10.9 Activity Continuity Plan.)

In line with the Aged Care Funding Agreement, we also have processes in place to ensure service continuity for consumers as they transition from the younger to older age cohort.

1.7.9 KEEPING APPOINTMENTS

Support staff work to a very tight schedule which makes it difficult to accommodate short notice changes to appointments. Except in the case of emergencies, a week's notice is required of a change. The consumer is informed that they may have to wait for the next scheduled visit if appointments are cancelled (as appropriate to need and services delivered).

³⁸ Australian Government Federal Register of Legislation User Rights Principles 2014 Division 2 – Responsibilities of Approved Providers of Home Care – General 17: Security of Tenure 27 February 2017

³⁹ Australian Government Department of Health Commonwealth Home Support Programme - Programme Manual 2018 p 86

If the consumer is not home when support staff arrive payment for that visit may be requested as we still need to pay the support staff for the time. Consumers are advised to ring the office if they are not able to keep an appointment.

Consumers are advised that whilst every effort is made to deliver services to the timeframes provided, staff may arrive up to half an hour before or after the scheduled time due to factors beyond scheduling control.

1.7.10 LEAVE PROVISIONS FOR HOME CARE PACKAGES

Consumers can take leave from their package (as long as they advise us in writing) for a holiday, a hospital stay, transition care or respite care. The following arrangements apply for all home care packages.⁴⁰

Type of leave	Impact on payment of subsidy to approved provider
Hospital	<ul style="list-style-type: none"> Home care subsidy is payable (at the full basic subsidy rate) for up to 28 consecutive days in a financial year, for each episode of hospitalisation. After 28 consecutive days, the subsidy is payable at 25% of the basic subsidy rate.
Transition care	<ul style="list-style-type: none"> Home care subsidy is payable (at the full basic subsidy rate) for up to 28 consecutive days in a financial year, for each episode of transition care. After 28 consecutive days, the subsidy is payable at 25% of the basic subsidy rate.
Respite care	<ul style="list-style-type: none"> Home care subsidy is payable (at the full basic subsidy rate) for up to 28 cumulative days in a financial year. After 28 cumulative days, the subsidy is payable at 25% of the basic subsidy rate.
Social leave	<ul style="list-style-type: none"> Home care subsidy is payable (at the full basic subsidy rate) for up to 28 cumulative days in a financial year. After 28 cumulative days, the subsidy is payable at 25% of the basic subsidy rate.

Consumers must continue to pay the ongoing care fee whilst on leave from their package except if they are in transition care or residential respite care.

1.7.11 CONSUMERS MOVING TO ANOTHER HOME CARE PROVIDER⁴¹

i) Consumer right to choose a provider

Consumers have a right (under the Charter of Care Recipients' Rights and Responsibilities - Home Care⁴²) to choose their provider and to change providers in order to best meet their

⁴⁰ Australian Government Department of Health Home Care Packages Programme Operational Manual December 2015 p 38

⁴¹ Australian Government Department of Health [Changing Home Care Providers](#) 5 January 2017

goals and needs, if they wish. Home care package funds follow the consumer and Victoria Daly Regional Council Home Care supports consumers to change their provider

Once a consumer tells us, or My Aged Care informs us, that they wish to change to another service provider, we:

- Discuss with the consumer their needs and mutually agree on a cessation day considering the start date with the new provider which should be the same day as the cessation day to ensure no gap in care. (My Aged Care will advise of the start date with the new provider)
- Once a cessation day is agreed with the consumer, notify the Department of Human Services (DHS) within 31 days of a consumer ceasing care. Providers must provide the consumer's name and their cessation day through the aged care payment system (i.e. the home care claim form or the Aged Care Online Services system)
- Confirm the cessation day with both the consumer and the existing provider to ensure there are no overlapping claims for home care subsidy
- Provide care until the day prior to the cessation day. Home care subsidy is not paid to Victoria Daly Regional Council Home Care for the consumer's cessation day. Where two or more approved providers claim subsidy for the same consumer on the same day, payment is made to the provider that first entered into a Home Care Agreement with the consumer.
- Notify the consumer of their unspent home care amounts and arrange payment (See below (ii) Unspent home care funds)
- Retain:
 - The written notice of the consumer's unspent home care amount
 - Records relating to the payment of a consumer's unspent home care amount to another provider
 - Notices of exit amounts given to the Department for publication on My Aged Care.

ii) Unspent home care funds

Requirements

Victoria Daly Regional Council Home Care provides a regular monthly statement of income and expenditure to each Home Care Package consumer including the unspent home care amount.

If a consumer leaves Victoria Daly Regional Council Home Care:

- To move to another home care provider, the unspent home care amount (LESS any exit amount) is transferred to their new provider (See below iii) Exit amount)
- To leave home care (e.g. they longer wish to receive services, they enter residential care or die) the unspent home care amount (LESS any exit amount) is returned to them or their estate and to the Commonwealth as appropriate.

⁴² Australian Government Department of Health Charter of Rights and Responsibilities for Home Care (Effective 27 February 2017)

The unspent home care amount is accumulated from 1 July 2015 (if applicable) and is calculated using the Department of Health example calculation.⁴³

When a consumer has died and funds are to be returned to their estate we require a statement from the executor certifying that the funds will be included in the estate.

Active management of unspent funds⁴⁴

Victoria Daly Regional Council Home Care actively manages unspent home care funds to avoid the accumulation of large amounts of funds that have to be returned to the consumer and/or the Commonwealth. Strategies for managing funds include:

- Developing a support plan/individualised budget that utilises most of the available funds to provide services to meet the needs of consumers, whilst accumulating manageable amounts for future events
- Implementing package upgrades without delay if the consumer accepts the upgrade
- Where consumers' needs are being fully met on a lower level interim package discuss with them the option to opt out of the national queue; explaining that they can always opt in again when their needs increase with their place being determined by the original approval date and priority.

iii) Exit amount

Consumers are charged an exit amount to cover our administration costs in determining and making payment of unspent home care amounts if they choose to leave Victoria Daly Regional Council Home Care or move to another provider. The maximum amount we charge any consumer is \$550.00 and this is provided to the Department for publication on My Aged Care before it can be applied to consumers.

The agreed amount with each consumer is specified in their Home Care Agreement. This may be less than the maximum amount depending on the consumer's circumstances. (See 1.5.3/Consumer Agreements/i)Home care agreement.)

iv) Other requests for information

If a consumer requests support to gain further information regarding moving to another service provider our staff will assist them to access this information.

⁴³ Australian Government Department of Health [mai example-calculation of unspent home care amounts 2017](#)

⁴⁴ Australian Government My Aged Care Actively Managing Unspent Funds