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Department of Health
Regulatory Alignment Taskforce
Via email: RegulatoryAlignmentTaskforce@health.gov.au

Dear Taskforce Members,

Aligning regulation across the care and support sector

Anglicare Australia appreciates the opportunity to provide input to Stage 2 of the consultations about aligning regulation across the aged care, disability and veterans care sectors. These regulations are crucial, as noted by the Royal Commission into Aged Care Quality and Safety:

> regulation is about protecting and safeguarding older people receiving supports and care. It needs to be both effective and fit for its purpose. Older people need to have confidence that the aged care system will be effectively regulated against high standards, and that the regulator will act promptly and will deal severely with substandard care.

Aligning regulation will help keep people safe, while also making it easier for service providers and workers to deliver care and support to older people and people with disability. We strongly support the Taskforce's work to achieve this.

Ensure regulation is fit-for-purpose and balanced against the need to foster innovation and collaboration

The time spent on regulation and reporting is substantial. Several years ago, charities had the option to report to the ACNC information about how many staff hours were spent on reporting. Several large Anglicare Australia member agencies spent more than 2,000 hours annually on reporting, or the equivalent of about one full-time equivalent staff member. Several others reported spending 500 or more staff hours on reporting.

If regulatory systems are duplicative, inefficient or poorly targeted, that time can be wasted, potentially impacting on the amount or quality of care people receive.

Where regulation does not operate effectively it can inhibit innovation and collaboration. It is essential to find the right balance between assuring the standards, safety, security and voice of those accessing services, and allowing organisations the freedom to operate in the ways that best suit their particular purpose and context.

Anglicare Australia members are not convinced that the current balance is right. A recent survey of aged care providers by the Australian Aged Care Collaboration, of which Anglicare Australia is a member, found the regulatory environment is overwhelming providers, with little perceived improvement in capacity to achieve consumer outcomes due to increasing compliance and reporting requirements without any resolution of structural funding issues.[i] In many cases staff time and focus is being diverted away from the delivery of care to administration, heightening the risk of worker burnout. Survey respondents urged the government to 'focus the regulator on resident care not compliance for the sake of it'.

Report once, use often

Anglicare Australia members deliver a range of different services across the social services spectrum. Most are managing multiple different reporting frameworks for government funding, including NDIS and aged care, but also other Commonwealth departments and state-based funding bodies and regulators.

A 'report once, use often' system would reduce the administrative burden on organisations. Providers often are forced to report the same or similar information to multiple regulators. This includes information about incidents or complaints, data about service use and capacity. This data handling problem could be greatly relieved by a combination of standardisation of data and quality reporting requirements and the development of an interoperability framework to enable data to be recorded once but used multiple times as required.

For example, one provider advised they were recently requested by the NDIS Quality and Safeguard Commission to report the vaccination status of their NDIS workers. The service is an aged care provider who has been regularly reporting the vaccination status of the same workers to My Aged Care for several months. If the Department of Health could share the information with the NDIS Quality and Safeguards Commission, the service would have been saved unnecessary paperwork and duplicative reporting.

Services already collect and provide governments with a large amount of data about their clients and services. Sometimes it can feel as though the information they provide is never used at all, disappearing into a great 'data black-hole.' It is rarely analysed and provided back to them in a useful format that would inform planning and evaluation. This would require investment in data preparation and 'cleaning' to ensure the data is fit for use.

Collecting information and data from clients places an administrative burden on workers and providers. Some workers estimate they spend up to half their time on data entry and reporting. Data should only be required to be submitted when it is going to be used in some way, for example to monitor service access and gaps or identify risk. Wherever possible data should be collated, analysed and provided back to services and the community to assist in planning and quality benchmarking.

Map commonality in standards and develop a common set of outcomes

Many Anglicare Australia Network are assessed and accredited against multiple different sets of standards. Some members report against 20 or more different sets of standards. One member agency reported undergoing three accreditation processes in quick succession, for their aged care, home care and disability services. Each process took several days. There was significant duplication and cross-over between the standards against which they were assessed.

Developing a single core set of standards that address common outcomes, for example around governance, supplemented by specific outcomes that are unique to different types of care and support would streamline quality assessment processes.

Complaints processes are equally confusing. Frequent changes to legislation and policy have been confusing for providers, clients and their families. Many people are unsure where to take complaints, and providers have multiple, duplicative policies and processes to manage the various complaint pathways. Aligning complaint processes, and ensuring consistency would help providers respond more effectively, and older people and their families know where and how to make complaints.

Encourage a highly-skilled workforce

Safe and high-quality care requires a highly skilled workforce. Upskilling and professionalising the care workforce is essential to delivering on the promise of the Royal Commission into Aged Care Quality and Safety. Yet the care and support sector is facing a workforce crisis. For example, in the aged care system more than 110,000 direct care workers will be needed within the next decade.[ii] And many existing staff are considering leaving, because of poor pay, insecure work, or burnout.

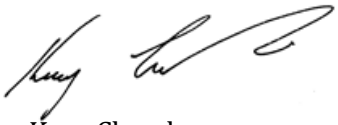
An overly punitive or burdensome approach to regulating risks driving quality staff from the care sector. This is especially true for the aged care sector, where there has yet to be a firm commitment from government on funding for higher wages and better conditions.

In 2019, Anglicare Australia and HESTA explored the link between home care workers engagement in their job, and the delivery of high quality care.[iii] The research confirmed that a satisfied, engaged workforce improves staff retention and the quality of care delivered to older people. Although staff were overall satisfied in their roles, they identified excessive administrative and compliance tasks as barriers to high quality service delivery. Staff felt that they often do administration tasks to the detriment of service time, or in their own unpaid time between clients or after shifts. Simplification of administration and reporting could contribute to increased engagement for both workers and clients. Aligning regulation must take into account the burden on workers, and be complemented by strategies to support and professionalise the workforce.

Anglicare Australia looks forward to continuing to work with the Government to deliver a care system that promotes high quality care, encourages innovation and protects and safeguards vulnerable Australians.

If you would like to discuss anything in this submission further, please do not hesitate to contact us at anglicare@anglicare.asn.au.

Yours sincerely



Kasy Chambers
Executive Director

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[i] Australian Aged Care Collaboration (2021) Aged care reform scorecard; December 2021

[ii] Committee for Economic Development (2021) Duty of care: Meeting the aged care workforce challenge.

[iii] Mackay, T. and Goodwin-Smith, I. (2019) Quality jobs and best practice care: Improving homecare staff engagement within a consumer directed care environment