

MAKING A COMPLAINT IN AN AGED CARE HOME

The Aged Care Act 1997 states that residents have the right to bring complaints or issues of concern to the Manager of the aged care home where they live. Raising issues or complaints can be beneficial for all concerned. Positive changes may be made as a result of a concern being raised.

Every aged care home must have in place:

- an internal complaints process, and
- an external complaints process.

The aged care home must tell you how you can make an external complaint through the Aged Care Complaints Investigation Scheme (CIS) under the Department of Health & Ageing.

You can ask an aged care advocate to help you raise issues or make a complaint on your behalf if you wish.

What Can I Complain About?

You can complain if you are unhappy with any of the care and services provided, such as meals, personal care, hygiene, security, safety, activities, neglect or financial matters etc. You can also complain about the way you are spoken to or treated by staff or management which means you can complain about any aspect of the accommodation and care you are receiving.

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How Can I Make a Complaint?

There are three ways you can go about raising issues and making complaints:

1. Speak for yourself

It is always best to raise and attempt to resolve issues directly with management or staff in the aged care home. Use the internal complaints process developed by your aged care home. This process should be detailed in your Resident Agreement.

As well, your home should have a Residents Committee which meets regularly. The Committee is another way of residents having a say about things and sorting out day-to-day problems.

2. Get someone to help you make a complaint

If you feel uncomfortable about making a complaint yourself, or you are not sure about what to do, or you simply want support and advice, phone The Aged-care Rights Service (TARS)* for assistance. An aged care advocate can help you.

3. Contact the Aged Care Complaints Scheme (CS), ph 1800 550 552.

You can make a complaint either in writing, over the phone or by email. The Intake Staff at the CS will listen to your concerns, discuss options and may be able to investigate your complaint if your information relates to an approved aged care provider's responsibilities under The Aged Care Act 1997.

What are Advocacy Services?

The aim of the aged care advocacy service is to contribute to improving the quality of life of people living in aged care homes, retirement villages or receiving aged care packages in their own home.

Advocacy Services are provided to assist and inform residents of retirement villages and residential aged care homes. They are independent of the retirement village and residential aged care industries.

How can an advocate help you?

An aged care advocate is someone you ask to act on your behalf or assist you to act.

Advocates can:

- give you information on a range of matters;
- help protect your rights as a resident;
- speak for you if necessary.

Although they may not realise it, staff of aged care homes can have power and influence over residents, because the residents are dependent on the staff for the comforts, care and activities of daily living in the home. Consequently, some residents may find it difficult to complain when they are not happy for fear of retribution or payback or they may fear negative consequences after making a complaint.

It can also be difficult for residents to make complaints because they are concerned about being labeled as a "whinger", which can result in their concerns being ignored

Perceived forms of intimidation can include:

- Residents being told "If you don't like it, you can go somewhere else".
- Staff running Residents' and Relatives' Groups where the group does not feel free to raise issues because they feel intimidated by the presence of the staff member and may want to keep them on side.

For these reasons, aged care advocates are available to support people to raise their concerns and ensure that they are listened to and acted on.

Disclaimer: This document is a guide only and cannot take account of individual circumstances. TARS recommends that you seek appropriate professional advice relevant to your particular situation. THIS IS NOT LEGAL ADVICE.