



Annual Report 2012–2013





Welcome

Welcome to The Aged-care Rights Service (TARS) 2012-13 Annual Report. Our report this year is focussed on partnership and working in collaboration. TARS is a small piece of the puzzle in a wide and varied aged-care sector. Without working in partnership we cannot achieve optimal results for our clients. In many cases our clients require services and support from a variety of providers. TARS works best when it is able to bring other providers into the picture so that clients benefit from our working in partnership with other stakeholders.

Please look through the report and pass it onto others. We hope people will understand the work of TARS and the complexity of many of the cases we deal with on a daily basis. We hope TARS is known to people who can benefit from our services. And when people engage with TARS we will always try and find a solution even if we have to work with other providers. We believe many of our successes are achieved by working alongside other service providers, communities and key stakeholders in the landscape of services for people who are growing older.

Annual Report 2012–2013



THE AGED-CARE RIGHTS SERVICE INC

including Older Persons' Legal Service

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Acknowledgment

TARS staff and Board gratefully acknowledge the Gadigal People of the Eora Nation and their Elders past and present. Our workplace is located on the grounds of these people and we thank them for the custodianship of this land.

Prior permission has been granted by each individual photographed for use in this document.

President's & Chief Executive Officer's Report

The Aged-care Rights Service (TARS) has been in existence for 27 years. It has had several re-incarnations in terms of its title and focus. While TARS has always advocated for the rights of older people, TARS today has a range of services including legal services, retirement village advice, aged care advocacy and education.

TARS is a multifaceted provider of information and advocacy for older people and/or their representatives across NSW.

To conduct this breadth of work it is important that TARS has strong links with other organisations working in the aged care sector, legal services and retirement village living. TARS cannot do its work without working alongside others with expertise in their relevant 'spaces'.

The success of TARS and the high satisfaction rates recorded by our clients are largely due to TARS *working in partnership* to deliver sound service and advice. TARS is proud to stand alongside other experts in the field. In so doing older people in our community can be assured they are getting the best possible service pathway.

TARS works closely with a number of organisations so that information and referral between various expert services can occur quickly and easily. These partnerships include:

- Council on the Ageing (NSW)
- Legal Aid (NSW)
- Aged Care Alliance
- Older Person's Advocacy Network
- Good Service Mob
- Eastern Sydney Multicultural Access Program
- AIDS Council of NSW (ACON)
- Commonwealth Office of Aged Care Quality and Compliance
- Office of Fair Trading Retirement Village Specialist Unit
- Law and Justice Foundation
- Multicultural Communities Council Illawarra

- Community Legal Centres of NSW
- Aged Care Standards and Accreditation Agency
- Sparke Helmore Law Firm
- Sydney Gay and Lesbian Mardi Gras
- Home and Community Care NSW Forum
- SydWest Multicultural Services
- Older Persons' Legal Services Network
- Education Centre Against Violence
- Indigenous Women's Program at the Women's Legal Services of NSW
- NSW Elder Abuse Helpline
- Older Women's Network
- Macarthur Diversity Services

TARS thanks all these groups for assisting us to better meet our clients' needs. In turn, we assist these organisations to provide better service to their clients. It is by working in partnership that older people in NSW gain a higher standard of service and accuracy.

In the 2012-13 year TARS was successful in being awarded four significant grants. These were: NSW Office of Fair Trading Retirement Village Funding, Commonwealth's Department of Health and Ageing (DOHA) Healthy Ageing and Home and Community Care (HACC) grants, and also DOHA's expansion of the National Aged Care Advocacy Program. This funding will not only allow TARS to consolidate its existing services but to improve our state-wide presence.

TARS is committed to working with 'special needs' groups such as people from culturally and linguistically diverse (CALD) backgrounds, Aboriginal and Torres Strait Islanders and people from the lesbian, gay, bisexual and transgender (LGBT) community. As part of that commitment TARS will increase its efforts to reach people in regional, rural and remote parts of NSW. The basis of our service is building awareness of an individual's rights and giving information about what services are available, sometimes through TARS or through one of our many partners.

TARS staff and Board have developed a three-year Strategic Plan for the organisation. Key aspects of the plan include upgrading TARS infrastructure including the telephone

Interesting cases where TARS worked in Partnership with other Organisations

In 2007 Ms GR aged 67 was unable to service a mortgage of \$100,000 over her residence valued at \$500,000, and the bank obtained judgment for possession. Ms GR and her son entered into an oral agreement that her son would pay out the mortgage on the basis that the residence was transferred to her son for nil consideration and Ms GR could continue to live there for life. Ms GR did not obtain any independent legal advice. There has since been a falling out in their relationship and the son is threatening Ms GR [now aged 70] with eviction. TARS has assisted Ms GR by preparing and lodging a caveat over the title to the residence giving notice of her equitable interest and will assist her to obtain pro bono legal representation in order to take Supreme Court action.

In 2011 Ms OB, aged 71, sold her villa for \$300,000 and paid money to her daughter and son-in-law as a deposit on the purchase of a house and granny flat worth \$1.2 million. The verbal arrangement was that the title to the house would be put into the names of her daughter and son-in-law and that Ms OB could live in the granny flat for life. Ms OB did not obtain any independent legal advice. Ms OB says that she is now being bullied and the relationship is breaking down. She feels stressed and is worried that her daughter and son-in-law want her out of the granny flat. Ms OB has made an appointment to attend the TARS office for an interview with a view to lodging a caveat on the title giving notice of her equitable interest.



Barbara Squires, President

system and database, and reviewing how to improve the experience of people who contact TARS. A major aim of the plan is to prepare TARS for a more 'tech-savvy' client base in the future and to improve current service delivery by better use of the internet, which aligns with the NSW Ageing Strategy.

TARS is one of many stakeholders that has been actively involved in developing and implementing the NSW Ageing Strategy. TARS is pleased the NSW government is ensuring the Ageing Strategy is a 'living document' that will be of great benefit in shaping a coordinated response to an ageing population in the years ahead.

Finally, the work of TARS could not be implemented without the dedication of its staff and its voluntary Board. We would like to acknowledge the commitment of both staff and Board and to sincerely thank them for their work. The clients of TARS are the true beneficiaries of having such a devoted and earnest team. Thank you.

We hope you find this Annual Report a useful document in showcasing the work of TARS. Various reports within the document give on-the-ground accounts of the plethora of issues TARS responds to on a daily basis. Please share the report with colleagues and other interested parties.

Barbara Squires
President

Russell Westacott
Chief Executive Officer

Management Committee and Staff

Volunteer Management Committee

Barbara Squires – President
B.Soc.Studs (Hons)
IRT Group

Sue Field
DNE, MEd Admin, BA, LLB
University of Western Sydney

Dr Stan Bongers
Mpsych, PhD, MAPS
Retirement Village Resident

Craig Gear
MBA, BN, MN (Critical Care)
CGA Consulting

Josh Faulks (joined April 2013, resigned September 2013)
B. LLB (Hons) (ANU); B.Econ (ANU); GAICD

Margaret Duckett (joined September 2013)
BSc MSc (Med) MScSoc, UNSW; FAIDC
Change Agent, Carer, Consultant

Patti Warn (joined September 2013)
BA. Uni of TAS
Uniting Care Ageing Sydney Advisory Council

TARS Staff

Administration

Russell Westacott
Chief Executive Officer

Charmian Powell
Receptionist/Administration Assistant

Stella She
Financial Controller

Bernadette English
Administration Assistant

Retirement Village Legal Service

Nalika Padmasena
Solicitor

Plus one additional
part-time Solicitor

Robert Stoyef
Solicitor (part-time)

Older Persons' Legal Service

Tom Cowen
Manager Legal Service
Principal Solicitor

Margaret Small
Solicitor

Melissa Chaperlin
Solicitor

Tim Tunbridge
Solicitor

Education and Advocacy

Rosalene Jones
Manager Education and Promotion

Pat Joyce
Manager Advocacy

Margaret Crothers
Advocate/Education Officer

Jill McDonnell
Advocate/Education Officer

Ray Horsburgh
Advocate/Education Officer

Irene Turnbull
Advocate/Education Officer (part-time)

Diana Bernard
Education Officer (part-time)

Acknowledgement & Thanks

We gratefully acknowledge and thank the following funders. Without the support of these funding bodies TARS would not be able to achieve its goals.

- Commonwealth Department of Health and Ageing
- Department of Services, Technology and Administration / Fair Trading (NSW)
- Legal Aid (NSW)
- Human Services / Ageing, Disability and Home Care (NSW), Office for Ageing
- Commonwealth Attorney General's Department

Advocacy Report

This has been a year of rapid change with many aged care reforms including the new Living Longer Living Better legislation, particularly the CALD and LGBT Strategies, the My Aged Care Gateway, and the introduction of all new community aged care services to be offered, or changed to Consumer Directed Care (CDC), and all other aged care packages to be changed to CDCs over the next 2 years.

TARS focus over the past year has been on forging, strengthening, and exploring partnerships with many other organisations providing assistance for older people in NSW, especially those identified as having special needs and from diverse communities.

We have worked collaboratively with Partners in Culturally Appropriate Care (PICAC) – developing strategies that TARS can implement to access older people from CALD backgrounds and make information about aged care services and their rights available to them if they ever require aged care services. This year we partnered with the Multicultural Community Councils of Illawarra (MCCI) which forms the Illawarra Aged Care Service Improvement and Healthy Ageing Grants Network in providing 13 information sessions to their clients from culturally and linguistically

"As always, prompt, professional, courteous and good advice".

diverse backgrounds, at the same time using interpreters from their day care centres. TARS has also secured funding from the DoHA Aged Care Service Improvement and Healthy Ageing Grants for next year. We will undertake to use professional interpreters more often to share the burden of the cost of this valuable service. We use the Telephone Interpreter Service (TIS) extensively when CALD callers contact advocates by phone, and they are a very reliable and professional service.

TARS will undertake to ensure NACAP brochures and



"The advocate was excellent- otherwise I'd still be writing to Home Care and only getting acknowledgements of my letter. Home care was not too pleased I contacted you, but I'm glad I did. Many thanks to you all".

information sheets on clients' and residents' rights are translated into more community languages as there is a real need to reach these older Australians so that they are empowered to access all the information and available services, and for these services to be culturally appropriate and individually appropriate for them. With improvements to the TARS webpage, and the many relevant links, we are now reporting more than 50,700 people accessing information about aged care rights.

The NACAP team is advocating for a standard residential care agreement which is accepted by the aged care industry nationally, and which is fair and easy to comprehend by older people. This will also facilitate translation into many languages other than English. We have raised this with the other NACAP services who support this change.

Through the networking activities of Rosalene Jones and Meg Small with the Good Service Mob and connecting with many Aboriginal elders, we have had more callers identify as Aboriginal, stating where they heard about our service, and we were able to provide increased advocacy for aged care service recipients from rural NSW.

Our data base has been updated to now capture Lesbian, Gay, Bisexual, Transgender (LGBT) and care leaver groups following their inclusion as special needs focus groups for service providers. We have had more callers identify as LGBT in the last year. We have been meeting quarterly with the ACON Aged Care Working Group, and with the National

Advocacy Case Scenarios

A very elderly resident was given insulin by injection which was ordered for another resident, despite her objection to the agency staff member. The staff member denied she gave this medication, and a regular staff member reported the incident to her manager. We advised the staff member to inform the resident's GP and specialist as she was due to have a medical procedure the next day. TARS encouraged the caller to ask the resident's permission to inform the Aged Care Complaints Scheme of the incident.

A young Aboriginal woman was residing in an aged care home as she needed extended rehabilitation. When the person was unable to pay the fees, she was asked to leave the home. Management had not referred the person to DoHA to apply for financial hardship. TARS referred the person to DoHA to apply for financial hardship and to the Aged Care Complaints Scheme as a breach of tenure. The Scheme informed the person they do not assist younger people. We then referred the person to the Aged Care Commissioner to make a formal complaint about the Complaints Scheme.

"The service was most helpful. The advocate was empathetic, knowledgeable and professional in her approach. She very promptly sent the information via email to reinforce her oral advice."

Community Legal Centres LGBT Network. Education sessions at Marrickville Council and Mature Age Gays (MAGS). Over a hundred LGBT community members at each event has increased the profile of TARS with its specialised services for older people.

TARS secured 12 months funding from the NSW Office of Ageing to advocate for HACC frail aged and older clients

"The information given was very, very helpful and as a consequence the situation has resolved and will help others who cannot articulate their discomfort to relatives, carers or staff. Thank you."

over 65 years, who previously have not had an aged care advocacy service in NSW to approach for support. Irene Turnbull facilitated a HACC Consultative Committee with HACC providers to seek their input into issues of aged care advocacy and to inform them about TARS' services. With the new structure for home care services, and DoHA funding them from July 1 2013, many of these older recipients will be transitioning to community care packages, which will all be offered as Consumer Directed Care packages with finite budgets. Although the number of calls from HACC clients have had a slow start, the outcomes to issues have been very much appreciated by clients. As one client stated, having her floor washed was a basic service but she could not have achieved the result without an advocate speaking up for her and taking her complaint to the CEO of the organisation.

We are fortunate to have the Older Persons' Legal Service solicitors employed in our office as TARS is the only NACAP service which is also a Community Legal Centre. The OPLS solicitors have been able to assist aged care recipients with legal issues including appointing and revoking powers of



The Blacktown Chinese group attending a presentation by TARS held at Sydwest Multicultural Services.

Advocacy Case Scenarios

A resident with dementia was admitted to hospital and then told he had to leave the high care aged care home where he had been living for several years. No letter stating the reason or the man's rights to have an advocate or to ask for an ACAT assessment were offered to him. The social worker at the hospital contacted TARS and was advised of the older person's rights, and that as the medical team and ACAT were satisfied that the man's behaviour issues had settled, he had the right to return home. The social worker was aware of six other cases where residents were transferred to hospital in the same way, and was concerned that the facility was a high care, dementia specific care facility and there was nowhere else for these residents to go in the aged care system. We referred her to the Complaints Scheme to make a complaint as this was identified as a systemic issue. The home refused to access the NSW Dementia Behaviour Management Advisory Service or the NSW Alzheimers Association for training for staff on behaviour management.

An 85 year old man was told he had to purchase a chair for his wife to sit in. The woman was a high care resident in a Commonwealth-funded aged care home. TARS informed him that he was not responsible for the purchase of a new chair.



attorney, financial abuse by family members, issues with their Public Guardian, and understanding their rights. Other enquiries have included the calculation of fees in regards to NSW retirement village contracts when people are moving into an aged care home.

Many of our clients wish to update their wills and we refer people to the Legal Pathways Project at COTA who give information and provide legal assistance for people at a low cost. We suggested this service to a community centre coordinator, who later reported to us that COTA arranged to have a solicitor spend all day at that centre assisting the whole group of older clients to update their wills. This was a very positive outcome.

"I have contacted TARS on several occasions and have received courteous attention and help."

TARS aged care advocates made a concerted effort this year to visit residents face-to-face to provide advice and support on their rights. Several aged care homes closed in the last twelve months and TARS advocates were able to visit residents and offer support.

The most significant aged care advocacy issue raised was Security of Tenure. There was a 75% increase in evictions or attempted evictions of older persons from their residential aged care home, compared with last year. TARS reported this trend in breaching the rights of tenure to the state office of DoHA and to the Aged Care Complaints Scheme. The Department of Health and Ageing responded by circulating a memorandum to all aged care providers reminding them of their responsibilities in this area. TARS also recommended this theme be included in the Case in Point scenarios of the Aged Care Standards and Accreditation Agency newsletter The Standard and presented a strong statement from the



rights of residents point of view. TARS as a whole referred 175 matters to the Aged Care Complaints Scheme, the majority of them being issues of tenure.

Advocates recorded an 80% increase in issues of elder abuse, including financial exploitation and theft, physical and psychological abuse. TARS was invited as a community member to attend a Sentencing Forum where the victim was an elderly resident of an aged care home who had a large amount of money stolen by a staff member. The advocate spoke up for the resident stating their right to feel safe and secure at home, and not prescribing a paternalistic approach of confiscating the credit cards and money from residents in order to protect them from abuse by staff who are in a role of care and trust.

Residential Care Agreements and Bond Agreements were also a major issue for callers to TARS, with a 25% increase from last year. Some agreements we have read contained misleading or confusing information, and appeared to benefit the provider, not the care recipient. A nationally accepted standard residential care and community care agreement would support all care recipients and simplify some of the confusion that is occurring. TARS has identified this issue as a project for the coming year.

I would like to thank Russell Westacott and the Board of Management for their leadership and support during the past year. I would also like to thank the NACAP Advocacy team for their commitment, professionalism and dedication to aged care recipients who need a voice to raise their concerns and have their rights defended.

Pat Joyce
Manager Advocacy



Advocacy Statistics 2012-2013

TOTAL ADVOCACY CASES

750

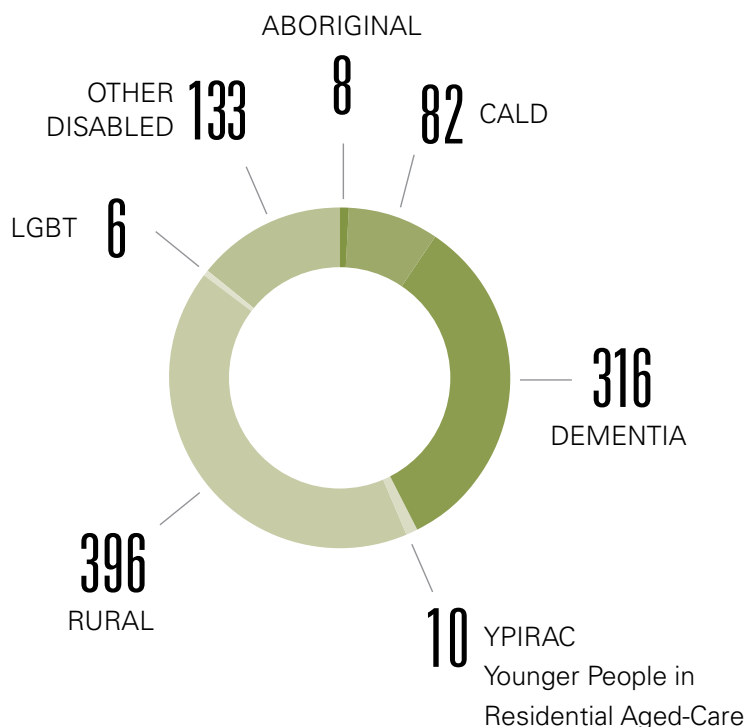
GENERAL INFORMATION ENQUIRIES

2035

Major issues addressed

SPECIFIED CARE AND SERVICES	328
ASSESSMENT	324
BONDS	243
PERSONAL HYGIENE	241
TENURE	142
AGREEMENTS	82
CHOICE AND DECISION MAKING	66
MEDICATION	53
BEHAVIOUR	52
HYDRATION/NUTRITION	42
ABUSE	41
THEFT	21

Special needs groups



210 ADVOCACY SURVEYS SENT

Legal Services Report

It has been a very collegiate and interesting year in the delivery of legal assistance and legal education to our older clients. The legal service is joining forces with more organisations to deliver quality assistance to older people across a wider range of issues than ever before. In particular we have worked in partnership with Aboriginal groups to provide education about the rights of older people and to engage in planning ahead, and with culturally and linguistically diverse groups to improve outcomes for older people with legal issues.

The top five legal issues that our clients seek assistance with include advice on Enduring Powers of Attorney and advice on Enduring Guardianship. Elder Abuse, usually perpetrated as financial exploitation. Consumer law and financial arrangements have also been prominent issues for our elderly clients. We have developed partnerships with other organisations to assist our clients in resolving these issues. TARS does not draft Powers of Attorney, Wills or Enduring Guardianship documents so we have joined with other organisations to assist our clients to draft these documents once TARS has provided the advice on what the client needs to take into account when making one of these documents. We have developed referral protocols with Legal Pathways and Legal Aid and COTA, who facilitate drafting of these important documents. We have also developed a referral list of private practitioners who will draft such documents for TARS clients at a discounted fee.

Staffing

Three staff members including one solicitor, Melissa Chaperlin, completed their Diploma of Management arranged through Legal Aid NSW. These courses are offered through the partnering program that CLC NSW and Legal Aid NSW have developed. TARS extends our appreciation to Legal Aid NSW for providing this very valuable opportunity.

Tim Tunbridge and Meg Small have continued their program of seeking out other organisations to partner with in assisting our clients and providing community legal education. They have continued representing clients before Tribunals, including the CTTT and Guardianship Tribunal.

Last year we announced that two solicitors were seconded from Sparke Helmore Lawyers on a permanent basis, following the trial the previous year. This partnership has been examined in detail and a report titled *Pro bono partnerships and models : a practical guide to what works* produced by Leanne Ho of the National Pro Bono Resource Centre features this partnership. Details of that section of the 246 page report are produced elsewhere in this Annual Report. Now we can announce after a review of the merits of the pilot project that Sparke Helmore have agreed to second two solicitors for a half day each week to assist TARS clients with legal advice. This takes the pressure off our intake list and we greatly appreciate the Spark Helmore contribution to the effectiveness of our service delivery. We give our unqualified thanks to Sparke Helmore for their generous support of the provision of legal services to older people. A matter where the pro bono assistance by a secondee of Sparke Helmore was provided for was a building negligence matter for a client in his 80s. TARS are currently seeking pro bono assistance to take this matter to court.

Robert Stoyef had been filling in for Nalika Padmasena while she was on leave up to January. Robert continues to attend the office as a volunteer from time to time. His efforts and continued presence are truly appreciated. Robert has also been active in Court and Tribunal Representations of older people.

Melissa Chaperlin attended Balmain Court to represent an older person seeking an APVO.

Highlights

Accreditation of TARS Inc. has been completed this year. The Accreditation process has involved a thorough re-examination of all TARS' policies and procedures to update and make them more efficient and effective. This has been a very worthwhile process and puts TARS on a footing to deliver improved service in the years ahead.

The Legal Service had a Planning Day in December where each solicitor developed their own personal work plan and the Legal Service produced a Workplan for 2013-2015. This provided each solicitor with a good understanding of what the Legal Service values and the direction we want to move in, which, in turn, enabled valuable contributions to the development of TARS' Strategic Plan early in 2013.

The Retirement Villages Standard Contract project has been completed this year. Kim was an invaluable member of the expert committee producing this contract draft, recognised as such by the Minister. Kim worked in partnership with lawyers and other professionals from private practice and government to produce the final contract. Kim's effort in ensuring the rights of residents were front and centre of the committee's considerations has been widely acknowledged.

Some of the more unusual issues that clients have presented with in the past year include:

1. A client in his 80s seeking to recover gas bills when the property neither used gas hot water nor had a gas stove.
2. Obtaining a refund from Telstra for failure to disconnect a home phone whilst client was in aged care.
3. Obtaining mediation for a client appearing before the Office of Fair Trading in relation to a building dispute.
4. Advising clients on residential care agreements in relation to the liability of relatives for aged care fees of older persons and the liability of clients for respite fees under contract.



This year TARS was fully accredited by the Nation Association of Community Legal Centres. In the image above Tom Cowen (right) Principal Solicitor presents the Accreditation Certificate to Russell Westacott, Chief Executive Officer.

Set out elsewhere in this annual report are various case studies, used with our clients' approval but de-identified and the statistics of services provided by the Legal Service and the types of issues that are most commonly raised.

Law Reform

The legal service and the advocacy service have partnered in drafting submissions to laws that affect older residents of nursing homes and hostels.

A review of the Retirement Village section of the Solicitors Practice Manual was undertaken by Nalika Padmasena this year to keep the manual up to date with regulatory changes that have happened.

Other highlights of the past 12 months include:

- 1 Nalika has updated the Solicitor's Manual section on retirement villages.
- 2 Robert Stoyef has been undertaking CTTT representation on behalf of clients, and we thank Robert for his time at TARS.
- 3 TARS has been actively involved in Law Reform submissions including:
 - a. A submission in relation to the NCAT (NSW Civil and Administrative Tribunal) which will replace over a dozen existing Tribunals
 - b. Submissions on the Residential Parks reform proposals
 - c. Residential Land Lease (Communities) Bill
 - d. Human Rights and Anti Discrimination Bill
 - e. Office of the Commissioner for Human Rights – Public Consultation on the Human Rights of the Older Person
 - f. Human Rights Action Plan – ALRC (Australian Law Reform Commission) Review of Commonwealth Laws
 - g. Baseline Study for new National Human Rights Action Plan
 - h. Manufactured Parks Submission, jointly with COTA (Council on the Ageing)
 - i. *Manufactured Homes (Residential) Parks Act.*
- 4 TARS solicitors have continued active participation in the CTTT (Consumer Trader and Tenancy Tribunal) Consultative Forum.
- 5 A TARS solicitor has been appointed to the Ministerial Advisory Committee: (The Hon. Anthony John Roberts, MA (Comms) MP Minister for Fair Trading).

Community Legal Education

This year has seen an increase in the delivery of education seminars by TARS solicitors partnering with other groups. Of particular note has been Meg Small's education program on planning for later life for older Aboriginal women. She worked in partnership with Donna Hensen of the Women's Legal Service to deliver seminars on powers of attorney, guardianship appointments and wills in yarning circles at Penrith and La Perouse.

TARS solicitors delivered education sessions in Glenbrook, Lithgow and Bathurst on Planning Ahead (Enduring Power of Attorney, Guardianship, Advance Care Directives, Funerals and Wills). These community legal education sessions were conducted in partnership with Elizabeth Evatt CLC, Katoomba.

Due to ongoing issues at a retirement village, a joint education session was developed and presented by TARS and the Office of Fair Trading, Specialist Support Unit. This resulted in the following feedback:

Hello Ladies

I just wanted to send you our thanks from our RV for your visit here last week. The feedback from the residents has been very positive and they thoroughly enjoyed meeting you both (I wonder if they thought I had made you up!). The staff also asked me to express their thanks for your openness and approachability.

Meg Small was a member of the ECAV (Education Centre Against Violence) Committee planning the Elder Abuse Forum for Health Professionals. This Forum was held at North Sydney and the TARS Principal Solicitor gave an address on Financial Exploitation of older people.

Nalika Padmasena has been the co-convenor and actively engaged with the CLEW (Community Legal Education Workers Group) committee at CLC NSW.



CASE STUDY

Case study: Legal Aid

An elderly woman with mild dementia in 2009 had a financial broker visit her home. She lived there with her 55 year old son. The financial broker signed her on to a reverse mortgage of \$200,000. Her property was worth \$900,000. He used the funds to invest in cars and other investment schemes in which the financial broker obtained a benefit. ASIC have since frozen the brokers' assets. The cousin who is enduring Power of Attorney contacted our service to inquire as to any remedy she has against the broker and the bank. The reverse mortgage has grown to \$240,000 and the house needs to be sold to discharge the mortgage.

We advised she may have remedies on the basis that the transaction is an unconscionable dealing or in non est factum (lack of capacity to enter the arrangement).

It appears that the client may exceed the means test for legal aid (she has equity in her home greater than \$521,000).

Legal Aid instruct that some cases are taken on as an exception to the means test.

TARS liaised with the client to finalise the legal aid application. TARS liaised with Grants at Legal Aid to address criteria for eligibility for lodging application.

CASE STUDY

Guardianship Tribunal matter

A TARS solicitor worked closely with social workers at Catholic Care, Bankstown and Bankstown Hospital staff prior to a Guardianship Tribunal hearing for our client. Catholic Care recommended that the TARS solicitor be involved in the matter so Bankstown Hospital staff contacted the solicitor directly. We were successfully granted leave to appear on behalf of our client on two occasions as the Tribunal recognised that TARS would assist with resolution of the dispute. The Guardianship Tribunal then made orders which in our view were in the best interests of our client and our client was very pleased with the result.

Legal Service Statistics

- RETIREMENT VILLAGE SERVICE
- OLDER PERSONS LEGAL SERVICE

INTAKE – ENQUIRY



LEGAL ADVICES PROVIDED



LEGAL MINOR ASSISTANCE



LEGAL CASES



OPENED



CLOSED



TRIBUNAL APPEARANCE



TARS primarily offers legal assistance to disadvantaged and vulnerable older individuals in our community. TARS will provide phone advice in the first instance to all callers but if further assistance is required TARS will refer callers who are not vulnerable or disadvantaged to either private legal practitioners or to other suitable organisations. Whether a client is disadvantaged or vulnerable is determined on a case by case basis and will involve looking at the client's problem and their general circumstances as well as their income and assets. It will also include considering any public interest aspects of their case, where a resolution of their specific issue will have broader implications for older people generally.

CASE STUDIES

Ms A aged 70 was the sole owner of the house in Sydney where she lived. The age pension was her only income and the house was her only asset. Her brother, who owned a farming property urgently needed funds to pay out his divorce settlement. Ms A agreed verbally to allow her brother to use her house as security for a bank loan and a half share of the house was transferred to her brother. Ms A received no benefit from the transaction. The brother later defaulted in paying the bank loan and demanded that Ms A sell her home to reduce his debts. OPLS gave legal advice to Ms A that she had reasonable grounds to obtain a Court order that the brother held the half share of house on trust for her. OPLS assisted Ms A to obtain a grant of legal aid. An in house lawyer at Legal Aid NSW acted for Ms A in starting Supreme Court proceedings.

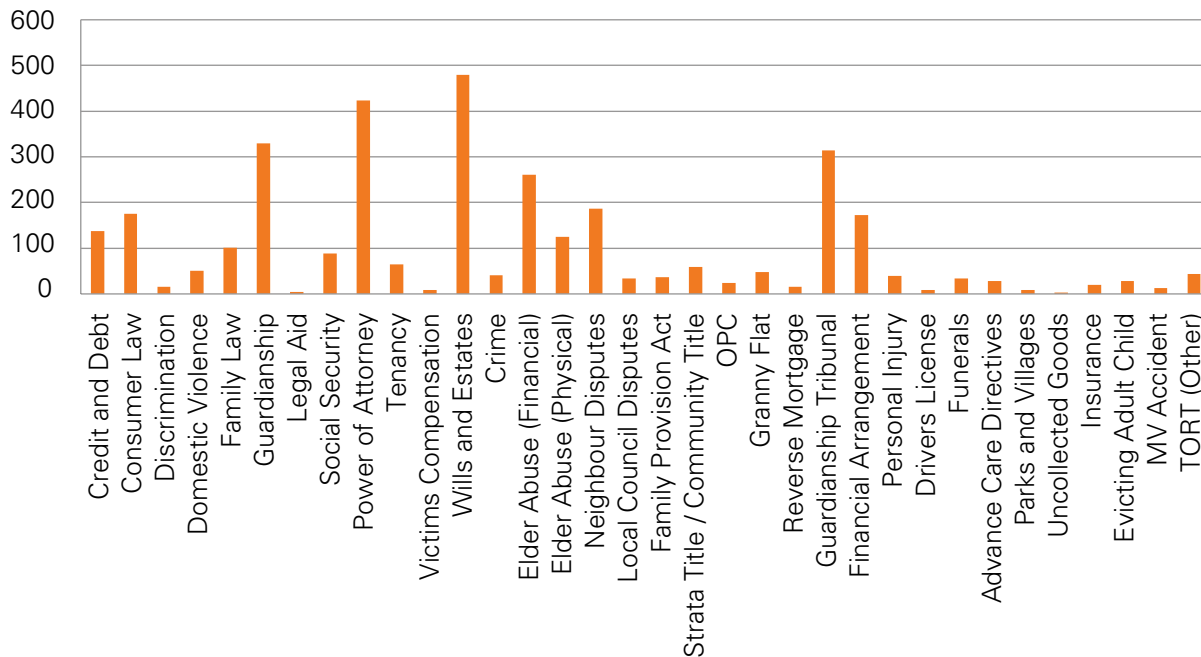
Ms L lived with her husband for over 30 years until his death. The deceased did not leave a will and had no significant assets apart from the family home which he owned in joint names with the daughters from his previous marriage. Upon his death the daughters inherited the whole of the family home as surviving joint tenants. Ms L was left homeless. Her only asset was the age pension. OPLS provided legal advice that Ms L had reasonable grounds to make a family provisions claim against the deceased estate and to obtain a Court order designating the late husband's share of the family home as part of his notional estate. OPLS assisted Ms L to obtain a grant of legal aid. An in house lawyer at Legal Aid NSW acted for Ms L in starting Supreme Court action for a family provisions claim.

Issues

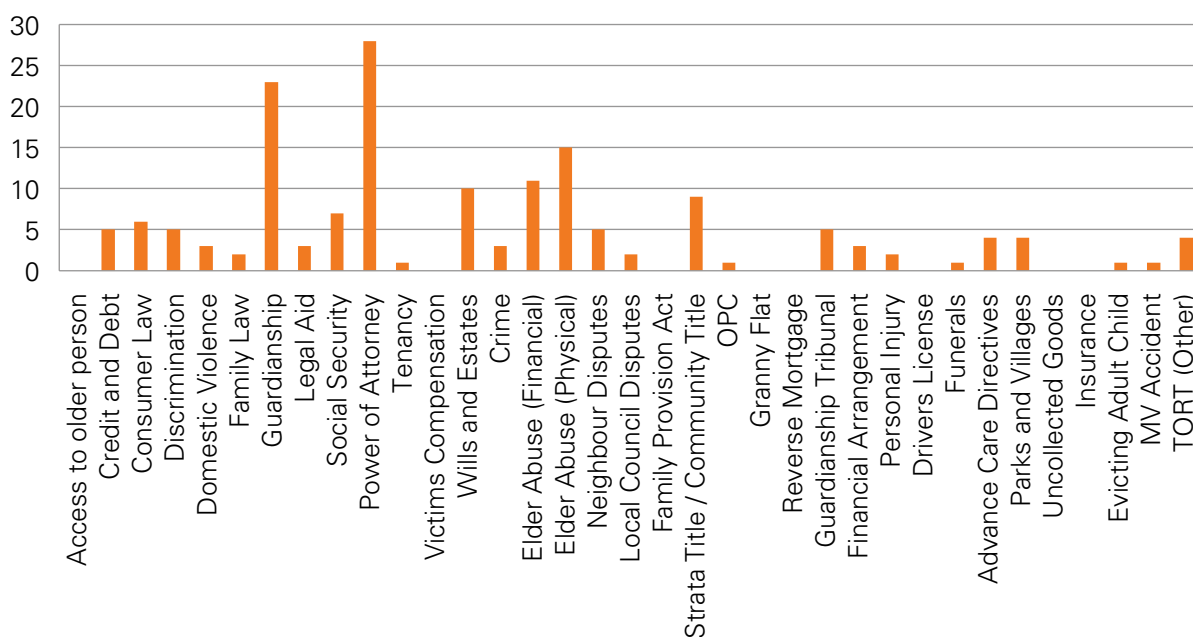
See graphs below.

While there are many issues that the legal service assists clients with, these are the top categories of issues in raw numbers for this year. It can be seen that Powers of Attorney, Wills and Estates and Financial Exploitation are big issues for older people, and in retirement villages the need for an advocate and fees and charges are key issues of concern for residents.

ISSUES RAISED BY OPLS CLIENTS 2012-2013



ISSUES RAISED BY RV CLIENTS 2012-2013



OPC: Office of Protective Commissioner

Education and Promotion Report

TARS Education and Promotion Service has built a reputation over the past 27 years that is recognised, and acknowledged in letters and feedback from our clients and attendees at our education sessions, as providing professional, knowledgeable, reliable, information on TARS services.

Our presence at Senior Week Events, Carers Events, community events, and expos provides an access point for people to talk with a staff member and obtain information on our services.

Partnering with other groups and organisations opens doors for TARS to reach people in surroundings they know, frequent, have friends, and where they feel comfortable. This is especially important for people from Aboriginal communities or people for whom Australia is not their birth country.

I take this opportunity to express my thanks and appreciation to the many people, including community workers, aged care staff, health workers, professionals and social secretaries of community groups, who have extended invitations and requests to TARS for education and to promote TARS services. Invitations are accepted whenever they meet our guidelines and can be included in our diary, I value your support, your efforts to provide venues, invite audiences and provide opportunities for people to access information and services that may assist them and the people for whom they care.

People benefit in many different ways from attending TARS education sessions and receiving publications, from being encouraged to realise that recipients of aged care services have rights and to access our Advocacy Service or to advocate themselves or for the rights of another person; to seek legal advice from a solicitor from the Older Persons Legal Service on matters of a legal nature affecting older persons; or our Retirement Village Legal Service for residents or prospective residents of retirement village on issues arising from disputes with the retirement village management or interpretation of a contract, under the *Retirement Villages Act 1999 NSW*.

Education Positive outcomes:

MULTICULTURAL

Blacktown Sydwest Multicultural Services (HACC funded social group) invited TARS to provide an education session on all our services to the Chinese Seniors group. Following the session TARS/OPLS received an enquiry as many members of the group requested to see a solicitor to prepare Wills and Power of Attorney and Guardianship. The OPLS solicitor referred the enquiry to Legal Pathways a program of COTA. The outcome: as the group's ages ranged from seventies to nineties, two solicitors, and an interpreter travelled to Blacktown and the clients' documents were prepared and signed on the same day.

In conclusion the achievements of that day have been a combined effort from TARS, COTA and Sydwest Multicultural Services.

AGED CARE

A gentleman living in residential care attended an education session in the home, following which he approached the presenter to discuss his concern regarding payment for continence pads. He said that he had received invoices directly from the company supplying the pads and another charge for the same amount on his residential invoice. The advocate obtained permission from the gentleman to advocate on his behalf with the Care Manager. The situation has been resolved to the gentleman's benefit. The Manager Advocacy report provides statistics on clients accessing assistance from our advocates.

ABORIGINAL AND TORRES STRAIT ISLANDER

TARS is an active member of the Good Service Mob (GSM) a collaboration of Indigenous and non-Indigenous staff from complaint-handling agencies who help consumers in New South Wales.

The Forums were held at Richmond, Penrith, Albury, Wagga Deniliquin, Parkes, Cowra, Condobolin and Forbes. The forums have been welcomed and appreciation expressed by Elders, community members, and/or by service providers who have attended.

Relationships have been established and developed with members of Aboriginal groups and communities.



Pro Bono Solicitors Sparke Helmore

An elderly client owns a terrace house in an inner suburb. The Housing Department NSW constructed terraces next door and left a gap between our client's property and its property. Water has seeped into this gap causing damage. With the assistance of pro bono services of Sparke Helmore we acted for the client. We filed a Freedom of Information Act request to obtain all information held by the Department in relation to the dispute. The solicitor then reviewed numerous expert reports as to the damage to the property. A letter was sent to the Housing Department NSW requesting compensation for damage caused to our client's property as a consequence of the incomplete works. We are still awaiting a response from the Department. The pro bono solicitor has also put together a detailed draft letter of advice as to the client's options should the Letter of Demand letter fail to resolve matters. This letter of advice will be sent to the client when the response from the Department is received.

OLDER PERSONS' LEGAL SERVICE

Community Legal Education Sessions on Planning Ahead, and legal issues for older people, where the presentations are prepared and presented to audiences of older people or professionals and service providers. Statistics on client contacts to OPLS by the Manager for Legal Services indicate the need and appreciation for OPLS services.

RETIREMENT VILLAGE LEGAL SERVICE

Education sessions are provided to residents on the Retirement Villages Act 1999 NSW. Enquiries are also welcomed from resident groups or managers of retirement villages for TARS to provide sessions on topics including:

- TARS: who we are and what we do
- Moving to Residential Aged Care
- Legal issues relating to issues with the management/operation of the village.

Retirement Village Residents Association has partnered with TARS to promote their services over the past months.

LGBT (Lesbian, Gay, Bisexual and Transgender)

- Promotion at FAIR DAY – Mardi Gras Sydney
- Forum Marrickville LGBT Forum TARS presented and promoted services
- MAG (Mature Aged Men) group meet at ACON. Presentations by an advocate on aged care services and rights and responsibilities and another by a solicitor on legal issues received appreciative responses from the audiences.

CASE STUDY

Consumer, Trader and Tenancy Tribunal matter

Application by a retirement village operator in relation to our client's behaviour at the village. The operator tendered evidence that our client was disturbing the peace and also tendered confidential medical records about our client's mental health disability. Together with the Central Coast Local Health Network, Specialist Mental Health Service for Older People, we were able to gather medical reports and evidence demonstrating that our client was able to continue living in the retirement village independently. With the work of an excellent Occupational Therapist we put in place a plan for ongoing support of our client. We then successfully negotiated Consent Orders with the village operator that enabled our client to stay in her home.

Since then, the Specialist Mental Health Service has referred other clients to us.

TARS participation at forums, expos and community events in the past 12 months included:

- Seniors Week activities included:
 - > Partnership with Orange Council – Planning Ahead Seminar. The trip included Planning Ahead sessions to groups in Forbes and Parkes for carer and community groups, Day Care Group, Aboriginal Day Care Group and Senior Group at Katoomba
 - > Promotion and Presentations at Seniors Expo, Centro Shopping Centre Bankstown
 - > Elder Abuse Seminar “Don’t Knock Your Granny” Partnership with OWN (Older Women’s Network)
 - > Seniors Expos at Marrickville, Mosman, Manly, Blacktown, Ulladulla, Lithgow, and Eastwood
 - > Safety for Seniors Turramurra
- Sydney Royal Easter Show Senior Days – partnership with JOIN Group – EWON, NSW, Private Health Insurance, Telecommunications, Ombudsman services, ASIC, NSW Fair Trading and TARS
- FAIR DAY – Sydney Mardi Gras
- NAIDOC Events
- Law Week promotions, Parramatta, Campbelltown – Partnership with Legal Aid
- Sydney Retirement & Lifestyle Expo, Rosehill 3 days
- Carers Day Out – Martin Place Sydney
- Jill Hall MP – Forums
- Greg Combet MP – Forums
- COTA Forum – Let’s Talk Dying a conversation about end of life - Parliament House Sydney
- Multicultural events:
 - > Blacktown City Council Festival
 - > EID Festival & Fair – activity of Australian MEFF Consortium – a non-profit Muslim enterprise
- Northern Beaches Expo, Partnership with RVRA (Retirement Village Residents Association)
- Carers Fest – Jindabyne
- Life Matters Expo
- Marrickville LGBT Forum
- NSW Rural Women’s Gathering - 220 publications and pens provided for attendees “goodie bags”



Education Sessions Audiences:

- Department of Health and Ageing - Residential care - staff and residents of aged care services
- Department of Health and Ageing - CACP, EACH, EACH D, staff and recipients
- NSW Home Care staff and recipients
- Fair Trading Seminars

Aboriginal and Torres Strait Islander:

- Good Service Mob Forums

Multicultural:

- CALDways Regional Forum
- Multicultural audiences included: Vietnamese Seniors Association, Eastern Sydney Multicultural Access Project, Multicultural Communities Council Illawarra, Macarthur Diversity Services, Sydwest Multicultural Services

Professional:

- ACAT, hospital social workers, Cerebral Palsy, ASIC, Aged Care Standards and Accreditation Agency
- Councils – metropolitan and regional
- Students: TAFE, school

Community Groups:

- View Clubs, Probus Clubs, Day Care Centres, War Widow's Guild Groups, Council community groups
- OWN - Older Women's Network
- Retirement Village residents

Advertising:

- Senior Newspaper bi monthly advertisement and editorial twice yearly
- DPS Guide to Aged Care including editorial
- Regional TV advertising for events and education in country areas – free
- Community Directories and Newsletters updated
- Young at Heart Film Festival Program (Seniors Week)
- Star Observer Post Mardi Gras Edition
- Homeless Guide to Sydney

Education provided in the following locations

- Metropolitan (includes Wollongong, Central Coast, Lake Macquarie, Newcastle and Katoomba)
- Griffith
- Milton
- Ulladulla
- Bathurst
- Orange
- Wagga Wagga
- Deniliquin
- Queanbeyan
- Lithgow
- Tamworth
- Coonabarabran
- Gunnedah
- Dubbo
- Jindabyne
- Ballina
- Port Kembla
- South Coast – Milton to Eden

TARS presented Information Sessions for groups whose audiences included:

- Recipients of aged care services
- Staff providing aged care services
- People living in retirement villages and those thinking about plans for later life and their retirement
- Carers
- People working in the ageing sector

Presentations include the details of all TARS services:

- Aged Care Advocacy
- Retirement Village Living
- Older Persons' Legal Service
- Home and Community Care Advocacy

Education feedback for TARS presenters

"Well focused and broad ranging introduction to topic, flexible presentation, open to questions"

– Advocate: Jill, TAFE student

"Thanks for coming and giving relevant information. Well done!"

– Solicitor: Kim, Retirement village resident

"Previous to this session I was unaware of TARS, very informative and interesting, well presented, and easy for staff to understand examples"

– Advocate: Pat, Residential aged care - staff

"Margaret was really good in delivering the message and informing us about the services"

– Advocate: Marg, Community group

"Irene speaks clearly and well, perfect advocate for elderly"

– Advocate: Irene, Community group



“Deadly stuff - from a very supportive community worker keen to promote TARS service to her people”

– Rosalene, Good Service Mob Forum

“Very sound advice for my own use as well as residents”

– Advocate: Ray, Staff residential aged care home

“Good talk teaching me some of the “mysteries” of old age problems!”

– Solicitor: Tim, Community group

“The comments reminded me to keep up to date with family matters and if there is need to make changes”

– Solicitor: Melissa, Community group

The achievements and statistics that have been attained in this report are the result of team work. Tasks necessary for successful education and promotions include, our reception staff receiving phone calls, the ordering of publications, stocktaking of publications, packing publications and promotional goods for country trips, documentation for bookings, preparing, presenting and our staff’s willingness to travel to provide TARS services.

This has been my seventh Annual Report for the Education and Promotion Service and as in my previous reports I acknowledge and thank TARS staff for their assistance, support and professionalism.

Rosalene Jones

Manager Education and Promotion Service

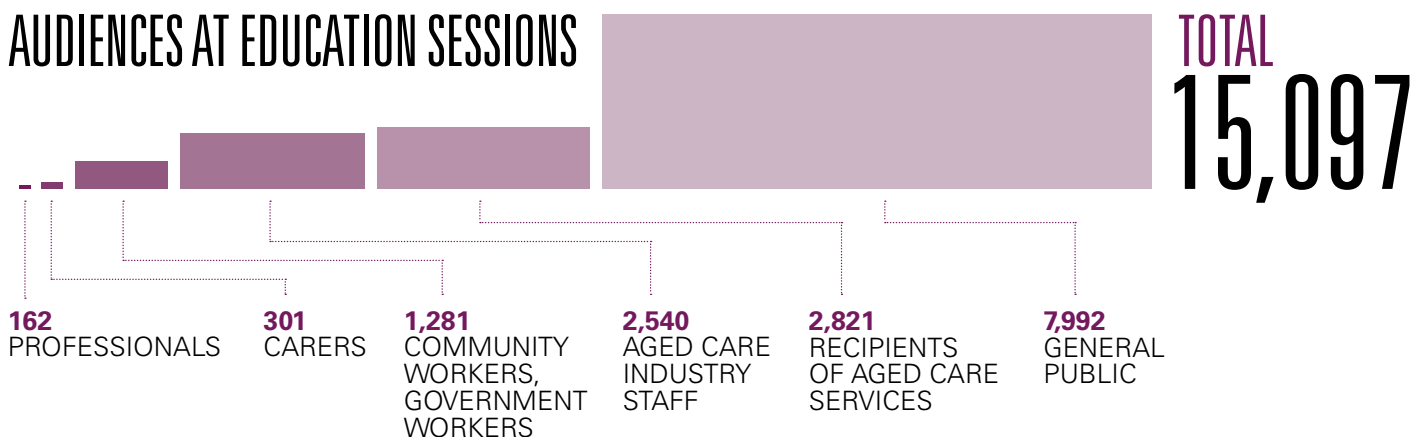


TARS staff regularly meet with representatives from the Council on the Ageing and the Retirement Village Residents' Association for the purpose of gaining better rights for residents of retirement villages.

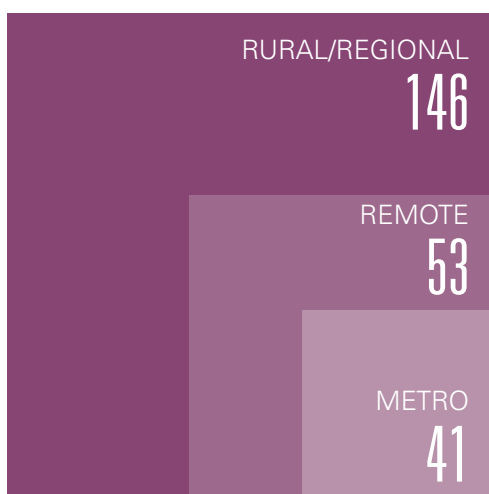
EDUCATION SESSIONS



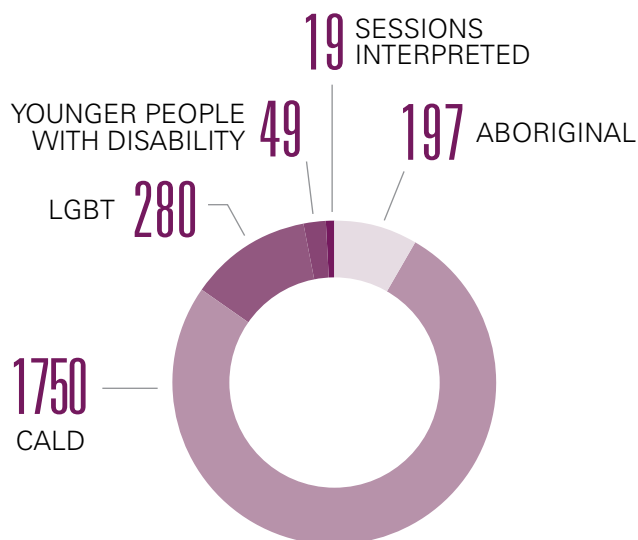
AUDIENCES AT EDUCATION SESSIONS



SESSIONS BY AREA



AUDIENCES INCLUDED PEOPLE IDENTIFIED AS



TOTAL AUDIENCES AT PROMOTIONAL ACTIVITIES AT EXPOS AND COMMUNITY EVENTS

218	CARERS
330	RECIPIENTS OF AGED CARE SERVICES
62	PROFESSIONALS
175	AGED CARE INDUSTRY STAFF
601	COMMUNITY WORKERS/GOVERNMENT WORKERS
5,502	GENERAL PUBLIC

6,888 

TOTAL PERSONAL CONTACTS

21,985

Front of House and General Administration Report

With up to 80 incoming calls per day and a multitude of emailed and written enquiries and requests, it has been another very busy year for general administration and front of house staff at The Aged-care Rights Service (TARS).

Our receptionists interact daily with representatives of government departments, other service providers and individuals, facilitating a reciprocal referral process in our combined efforts to ensure the older people in our community have access to appropriate assistance and support.

"Great resource for all health professionals when advocacy is a major part (or should be) of your work. Thanks TARS for directing me to relevant legislation"

"I was impressed that I was "listened" to with no pressure (as happens often today!) to hurry. I was given the full attention of the lady helping me. She was sympathetic without being judgemental"

Typical Referrals to TARS

- Aged Care Complaints Scheme
- Legal Aid NSW
- Law Access
- Older Persons' Tenants Service
- Health Care Complaints Commission
- Ombudsman's Offices (NSW and Commonwealth)

Typical Referrals from TARS

- Council on the Ageing NSW (COTA)
- Aged Care Complaints Scheme
- Guardianship Tribunal NSW
- NSW Fair Trading
- Welfare Rights Centre
- Commonwealth Carelink Centre
- Older Persons' Tenants Service

"The advocate provided information and resources as requested and even kept explaining options and called back with further information. A very worthwhile service that I would recommend to colleagues and clients"



Surveys Distributed

Satisfaction Rates



210 ADVOCACY
SERVICE

91%



33 OLDER PERSONS'
LEGAL SERVICE

83%



322 RETIREMENT VILLAGE
LEGAL SERVICE

83%



1552 EDUCATION
(NACAP)

97%



1212 EDUCATION
(COMMUNITY GROUPS)

88%



633 COMMUNITY LEGAL
EDUCATION

86%



247 RETIREMENT VILLAGE
EDUCATION

83%



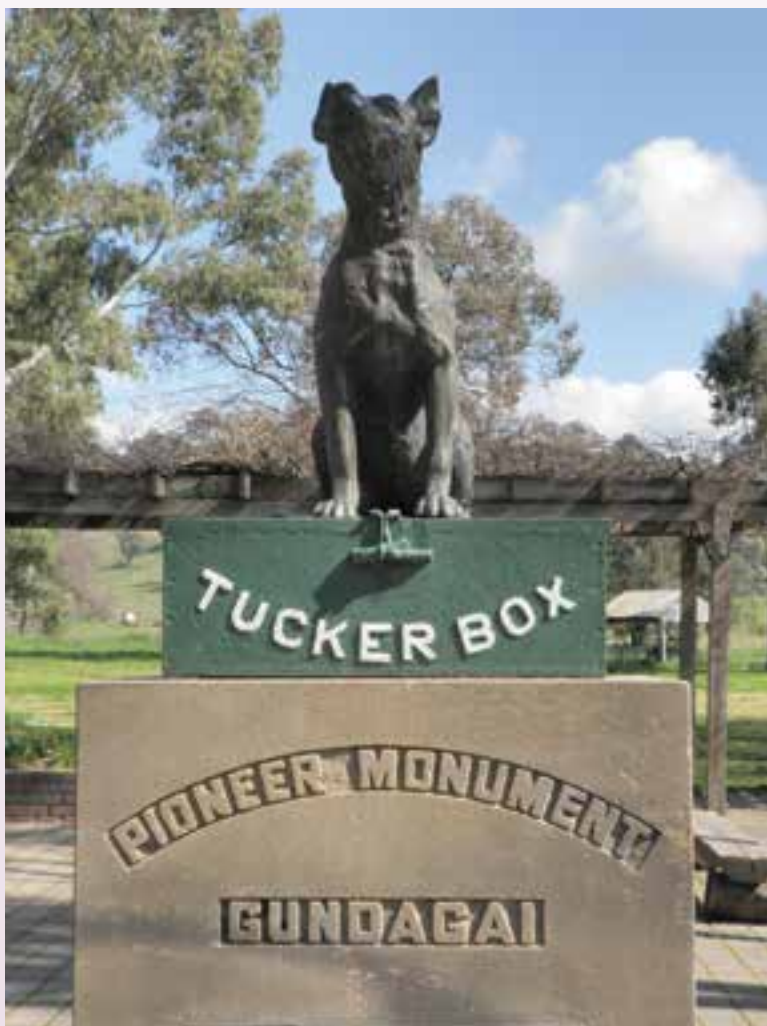
**AVERAGE
SATISFACTION
87%**

TARS across NSW



TARS is a state-wide service. Our staff travel across the state providing education and information services to a range of people in either aged-care facilities, targeting employees of these facilities, community settings and specifically tailored education for people from marginalised backgrounds.

In the 2012-13 almost 22,000 people were reached across the state of NSW. Our staff travel from Sydney to outer metro locations, regional centres as well as remote and rural locations in outer western NSW.





TARS working with Aboriginal communities



TARS works with Aboriginal communities in a multitude of ways. Given the diversity of Aboriginal people across the state of NSW it is challenging to work with a large number of communities throughout any given year.

Nonetheless, TARS works with several community representatives, building rapport and trust so that we can yarn with local populations about their rights as they grow older and the services available to them. TARS moves around the state trying to reach as many groups as possible.

TARS is an active member of the *Good Service Mob* Forum. The Forum consists of a group of stakeholders who all work in partnership to provide free, *Good Service*, to Aboriginal people and their communities. Members include: the Anti-Discrimination Board, EWON - Energy & Water Ombudsman NSW, Australian Securities and Investment Commission (ASIC), Fair Trading NSW, Legal Aid NSW as well as representatives from TARS. The Forums are held in areas where a community need has been identified or at communities who have extended an invitation for the Good Service Mob to visit. We meet and yarn with elders, members of local communities and service providers. Four Forums were held during 2012-2013. Each service provider in attendance is given the opportunity to give an overview of their service, answer questions, yarn with attendees, share printed material to promote services and encourage people to access services and to talk with members of the mob hence establishing valued community links.

Come to a Community Information Day
Lots of **FREE** information and giveaways!

Community Information & Complaints Forum

The Good Service Mob will be visiting communities on the NSW North Coast providing free complaint handling services available for Aboriginal and Torres Strait Islander people.

Cost: FREE

Refreshments: A light lunch will be provided

Enquiries: Tracey Duncan phone (02) 8218 5221

For more information visit
www.goodservicemob.com.au

Ke...
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Time 1...
Venue...
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RSVP T...
Ph (02)...

Come and have a yarn, it's free!

Logos: TARS, ewon Energy & Water Ombudsman NSW, ASIC, FOS Financial Ombudsman Service, NSW Fair Trading, Legal Aid New South Wales.

Come along!

Information Day

North Coast to talk about the
Strait Islander peoples.

Kempsey

Friday 28 May 2013

10am - 2pm
Pensioners League Hall
100 Street, Kempsey
Tracey Duncan
02 6218 5221

For more information visit:
foodservicemob.com.au

CELEBRATING NAIDOC WEEK

NAIDOC JAMISON PARK

FRIDAY 6 JULY

TIME: 10.30AM - 3.30PM
WHERE: JAMISON PARK, YORK ROAD, SOUTH PENRITH

Registration for touch football teams and medals will be taken on the day. To book information stalls only (no commercial stalls) contact Tracy Leahy on 4732 7786.

Activities include:

- Youth Activities
- Mixed men and women Touch Football
- Childcare for children aged 0-2
- And more.....
- Activities for Children
- BBQ
- Mixed Men and Women Netball

NAIDOC 2013 Jamison Park Gathering is an alliance between the following:
Homecare (Wagga, Blandford, Penrith Rotary Club, PCVC)

PENRITH CITY COUNCIL

Logan and Abingdon Council

NSW Health

NSW Police

NSW Fire and Rescue

NSW Ambulance

NSW Corrections

NSW Education

NSW Health Services

NSW Police

NSW Fire and Rescue

NSW Ambulance

NSW Corrections

NSW Education

NSW Health Services



TARS working with culturally diverse communities

TARS collaborates with leaders from particular communities that are culturally and linguistically diverse. By working with popular opinion leaders in these communities TARS is better able to broaden its reach throughout the community and gain trust from segments of the community that may have experienced discrimination or perceived discrimination. By overcoming these barriers TARS staff are able to disseminate education and information to as many different CALD groups as possible in any given year.

KEYS OF CULTURE 2 WORKSHOP AND DIALOGUE on Culturally Appropriate Care “Implementation of the 5 Principles”

**NATIONAL AGEING AND AGED CARE STRATEGY
FOR PEOPLE FROM CULTURALLY AND LINGUISTICALLY
DIVERSE (CALD) BACKGROUNDS**



You're Invited!

WHERE: Wests Illawarra
Hargreaves St, Unanderra NSW 2526
WHEN: Wednesday, 31 July, 2013
8.45am - Registration
4.00pm - Close

REGISTRATION AND RSVP by Friday 12th, July, 2013

Website Registration
<https://register.eventarc.com/16452/keys-of-culture-2013>
MORNING TEA AND LUNCH WILL BE PROVIDED



ACSIHAG
Illawarra Network

Organised by
Multicultural Communities Council of Illawarra - MCCI
& Italian Social Welfare Organisation of Wollongong - ItSoWel
with support from
Australian Nursing Home Foundation - ANHF and Macedonian Australian Welfare Association

2013

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CALD Ways

Biannual Regional Forum

Pathways to Implementation!

**5th June 2013 – Rydges Parramatta,
116-118 James Ruse Drive, Rosehill, NSW
9 am - 4.30 pm**

**Celebrating the launch of the National Ageing and Aged Care Strategy for
People from Culturally and Linguistically Diverse (CALD) Backgrounds.**

This free one day event is for Aged Care Providers keen to increase their understanding of the Strategy.

Attendees will learn how the Strategy can be implemented in their workplace to better support CALD older people. We will share practical and motivating examples of CALD inclusion and commitment currently practiced by Aged Care services across Australia.

Confirmed Speakers include:

Mark Butler, Minister for Mental Health and Ageing*

Julie Owens, Member for Parramatta*

Department of Health and Ageing

Pino Migliorino, FECCA Chairperson

Rosa Colanero, CEO Multicultural Aged Care Inc

Hammond Care

Dementia Behaviour Management Advisory Service (DBMAS NSW)

Program of Experience in the Palliative Approach (PEPA NSW)

The Aged-Care Rights Service (TARS)

The ACT Disability, Aged and Carer Advocacy Service (ADACAS)

Co.As.It (Italian Association of Assistance)

Council on the Ageing (COTA)

This is a FREE event. Numbers are limited. Registration is essential.

To register:

<https://register.eventarc.com/15465/caldways-biannual-regional-forum-pathways-to-implementation>.

PICAC
NSW • ACT

Contact: PICAC NSW & ACT

Phone: (02) 4227 4222, Fax: (02) 4226 9018

E-mail: admin@picacnsw.org.au,

Website: www.picacnsw.org.au

Multicultural Communities
Council of **Illawarra**

The Partners In Culturally Appropriate Care Program Is funded by the Australian Government
Department of Health and Ageing and auspiced by the Multicultural Communities Council of Illawarra

*Speakers' address to the forum will be presented by recorded video message

A further example of TARS CALD work includes a long association with SydWest Multicultural Services at Blacktown. A highlight this year was attending their Seniors Multicultural Family Day at Blacktown RSL in March 2013. TARS team members have also enjoyed providing information sessions to many of their Seniors Social Groups. These have including members from Chinese, Hindi, Bhutanese, Turkish and Maltese communities. The TARS team look forward to continuing involvement with SydWest clients and staff.



CERTIFICATE OF

*Community Legal Centres NSW Inc. (CLCNSW), a C
Mark, the National Association of Co*

confir

The Aged-care R

*has been assessed on 30th April 2013 under the Natio
Services in conformity with the requirements of the NA
and the NACLC Certification Rules and is granted
accordance with*

A handwritten signature in blue ink, appearing to read "Alastair McEwin".

Alastair McEwin, Director, CLCNSW



ACCREDITATION

*Certifier authorised by the owner of the Certification Trade Mark
Community Legal Centres Inc. (NACLC),*

terms that

Rights Service Inc.

*ational Accreditation Scheme as providing Community Legal
CLC Accreditation Criteria for Community Legal Centres
Licence to use the NACLC Certification Trade Mark in
h Licence Terms.*

30th April 2016

Date of expiry of Certification and Licence

TARS working with LGBT communities



TARS has a long history of working with ACON – Australia's largest LGBT health promotion organisation. Through assisting with policy questions via ACON's Ageing Work group to providing education and information to ACON's Mature Age Gay (MAG) Men's Group. TARS also commits to attending other community events targeting the LGBT community. As a result of this focus over the past several years TARS is now starting to gain trust and build a small but consistent LGBT client base. We hope to expand on this work into the future.

'Reaching Out': Ageing and LGBT Rights

This year TARS was successful in securing funds from the Commonwealth Department of Health and Ageing Healthy Ageing Grants Scheme. The funding submission outlined a 'Roadshow' event for members of the lesbian, gay, bisexual and transgender (LGBT) community. By working in collaboration with ACON, the 'Roadshow' travel to locations in the state where ACON already has a presence and rapport with the local LGBT community – in both metro and regional settings.

The sessions targeting LGBT people, those who work with members of the community and their friends and supporters will address aged-care rights, elder abuse, retirement village living, advocacy for people in aged-care settings as well as recipients of Home and Community Care (HACC) packages. The events will also highlight the legal services available at TARS which provides services to vulnerable, disadvantaged and marginalised individuals within our community.

The project complements existing work being carried out by ACON in the LGBT ageing 'space'. In particular



the project will connect with ACON's Living Older, Visibility and Engaged (LOVE) Project.

By reaching many LGBT people around the state we hope to break down barriers and make services more accessible to this population. We hope to build the brand recognition of TARS so that older LGBT people who are in need of support can identify our service as a key port-of-call.





June 11, 2013

Russell Westacott
Chief Executive Officer
The Aged-care Rights Service
418A Elizabeth Street
Surry Hills NSW 2010

Dear Russell,

I am writing to thank The Aged-care Rights Service (TARS) for their work and support of ACON's Mature Age Gays men's group (MAG). As you may be aware MAG is the world's largest and longest running social group for mature age gay and bisexual men.

Over the past years TARS has provided our membership with several well-targeted presentations – all of which were warmly received and provided with high satisfaction ratings. The success of these events means that MAG is keen to see something replicated in the year ahead so that our membership is fully mindful of their rights as they grow older.

Many mature age gay and bisexual men find themselves in the position of fear either real or perceived discrimination due to years of discrimination when they were younger. With the support of TARS the rights of individuals become better understood and the fear of discrimination is lessened.

We look forward to working with you and your team into the future. And we look forward to older gay men being given positive reinforcement by your agency.

Yours sincerely,

Eric Ellem

President, MAG

Mature Age Gays (MAG), PO Box 350, Darlinghurst NSW 1300

Some examples of partnerships and letters of support

'TARS: The Aged-Care Rights Services Information Session'

For Tamil Seniors



Wednesday 10th October 2012

Time: 1-2 pm

Location: Strathfield Community Centre, Bates Street, Strathfield.

Session Information:

TARs provide **free and confidential support** to recipients of care and also to promote the **rights** of older people to aged care service providers.

The information session will include:

- TARS: who we are and what we do – what is an advocate?
- The Older Persons Legal Service – how can they help me?
- Information on Wills, Power of Attorney & Guardianship, Elder abuse
- Information about Aged Care Services

The Aged-care Rights Service Inc (TARS) is the advocacy service for the residents of Australian Government funded low and high aged care homes and the recipients of in-home aged care in NSW. Come and find out more.

Contact Mesepa on 9649-6955

Email: mesepa@auburndiversity.org.au



HOUSING
OPTIONS AND
PLANNING
AHEAD
17 JUNE 2013



Mayor Angelo Tsirekas

Housing Options and Planning Ahead

- What you need to know to help you plan!

Council is hosting a session about housing options and planning ahead on Monday, 17 June. *Housing Options* will cover where to live and what accommodation choices to make, and *Planning Ahead* will cover the issues involved in making financial and non-financial care decisions. Many seniors are confronted with difficult decisions about where to live and what accommodation choices to make and preparing themselves for these decisions.

Please join Margaret Crothers from The Aged-Care Rights Service as she discusses;

Housing Options

- What options are available in housing
- Downsizing
- The difference between residential care and retirement villages
- Granny flat
- Reverse mortgages.

Planning Ahead

- Power of attorney
- Guardianships
- Wills
- Advanced Care Directives
- Funerals.

When Monday, 17 June

Time 1pm – 3pm - Short break with finger food provided

Where Concord Library, 60 Flavelle St, Concord

Bookings This is a free event but bookings are essential. Reserve your place on **9911 6580** or email; **ju'eta.amir@canadabay.nsw.gov.au** by Monday, 10 June.

Transport If you require transport please let us know at the time of booking as we may be able to assist.

1a Marlborough Street, **Drummoyne** NSW 2047
Tel 9911 6555 Fax 9911 6550 www.canadabay.nsw.gov.au



Friday, 19 April 2013 3:09 PM
Subject: Thanks to TARS. re call today.

Dear TARS,

My sister had a car accident, acquired brain injury, and become a young person in a nursing home in 2001.

Shortly after arrival at an aged care facility there were problems, then very serious issues, then attempted forced eviction. She had nowhere else to go. And so, like so many families, we were plunged into the many challenges of the aged care system and the task of advocacy.

As people completely new to the world of aged care, initially we were shocked, disbelieving, lost, confused, with little knowledge of guardianship or the aged care sector. With the aged care facility, our first stop was TARS. You helped us in that first year meet very difficult challenges. As so many families, stressed, so I am sure we were not the easiest people to work with at first. As the situation developed you stayed with us, your experience and understanding of family positions, your experience of people, your knowledge of the system, and what it is for families to go through these situations, was in reflection vital and critical to us.

In the 13 years since, you should know what follow on effect your support to us has had. We have been through complaint processes to their fullest extent possible, made recommendations to Commonwealth complaint processes that have since been adopted. We have raised the issue of young people in aged care, spoken at a Senate Inquiry, raising issues of aged care and seen an immediate recognition for increased pay rates for AIN's (2004/5) and other recommendations adopted. With continued advocacy we have seen the backflip in NSW and the subsequent introduction of the Life Time Care Scheme to cover other young people like my sister involved in non-compensable car accidents. They no longer need to end up in aged care. In later years, 2011, a family member spoke at the Productivity Commission in Aged Care in 2011 confidently in view of our now extensive experience. Meanwhile back at the local level we have also, through persistence, seen recognition of the 'real issues' at the aged care facility that were not the residents, and consequently the welfare of all residents improved, as well as the working environment for the hands on staff improved.

I write now, as about 3 weeks ago family finally achieved my sister's exit out of aged care to a different place with appropriate specialist care and rehabilitation for a younger person with an acquired brain injury. A journey of over 4000 days of gruelling relentless challenging advocacy. A task that we hope less others will have to go through in view of our efforts.

To be able to phone up 13 years later today (TARS first place I thought of), to have you there, ask my one remaining question re leaving an aged care facility has reminded me how your support so many years ago set us on this long journey. Through your support to us, so much more has been achieved.

In retrospect, I reflect with recognition of the depth of experience, information and personal support TARS had developed even back then to help us and others in these very personal and difficult situations. Thought you should know what your support led to here.

Thanks.

TARS client

Tuesday, 17th September 2013

Dear Russell,

The NSW Elder Abuse Helpline and Resource Unit (EAHRU) commenced on February 28 2013 and provides information, advice and referrals relating to the abuse of older people living in the community in NSW. Referrals, when required, are made to other NSW agencies offering specific assistance catering to the particular needs of callers, including referrals to the Older Persons Legal Service (OPLS/TARS).

OPLS/TARS provides legal specific advice, assistance, referral and education for socially or economically disadvantaged older people throughout NSW. Accordingly, the services provided by both the EAHRU and OPLS/TARS prove to be complimentary and offer a broad field of expertise to help our callers understand their options (both legal and non-legal) to respond appropriately to elder abuse in the community.

Recent discussions with OPLS/TARS have proven to be very constructive in understanding how we can work together. We look forward to achieving our shared objective of providing a seamless referral pathway model (in either direction) for our callers when required. Ultimately we are very excited to be working in partnership with OPLS/TARS to ensure the needs of older persons dealing with issues of abuse are met.

The collaboration between our organisations will involve education and training sessions covering both legal matters and community service solutions to help each other better understand the capabilities and limitations of our services. More broadly, we are mutually looking at interstate models so that the EAHRU and OPLS/TARS can build an alliance against elder abuse lead by the best-practice methods of our counterparts.

We look forward to working closely with OPLS/TARS and thank them for their support to-date. We trust we will build on an already strong foundation.

Yours Sincerely,

Mike Franklin
Coordinator

NSW Elder Abuse Helpline & Resource Unit
Ph: 1800 628 221
E: eahru@chcs.com.au

3 July 2013

Mr Russell Westacott
Chief Executive Officer
The Aged Care Rights Service (TARS)
L4, 418A Elizabeth Street
Surry Hills NSW 2010

Diversity Council Australia Ltd
Level 25, 133 Castlereagh
Street
Sydney, NSW, 2000
www.dca.org.au

Phone: (02) 9035 2852
Fax: (02) 9980 2952
ACN 006 838 406
ABN 64 421 748 942



Dear Russell,

DCA – your partner in diversity

Diversity Council Australia (DCA) is delighted to have The Aged Care Rights Service (TARS) as a member and we congratulate your organisation on its commitment to diversity.

DCA is Australia's only independent, not for profit member organisation, focused on advancing the whole diversity agenda at a business, government and community level. We have been the advisor to Australian business on diversity issues for more than 25 years, driving business improvement through successful diversity programs. We provide diversity advice, strategy and practical tools to more than 200 member organisations, many of which are Australia's business diversity leaders and biggest employers. Our members are drawn from a broad range of industry sectors and vary from small to large workforces in size. Our founding members include ANZ Bank, AMP, AXA, BHP Billiton, Boral, IBM Australia, Orica, Rio Tinto and Westpac.

Leading thinking and innovative research

We partner with our members to create the workplace of the future by leading public debate through cutting edge research, thinking and practice on the full range of diversity issues. We strongly believe that public awareness of, and debate about, diversity issues impacting Australian society, business and individuals will continue to grow and therefore present DCA and its members with a unique opportunity to lead current thinking on diversity issues.

DCA's ground breaking diversity research enables Australian organisations to fully leverage the benefits of a diverse talent pool. For example, recent major research projects include: *Mainstreaming flexible work*, shedding valuable light on barriers to flexibility and new ways of making flexible working and careers standard business practice; *Closing the work gap in corporate Australia* exploring Aboriginal and Torres Strait Islander perspectives on effective engagement with Indigenous communities by the private sector; *Capitalising on Culture*, encouraging organisations to better measure and take advantage of cultural diversity in the workplace; and *Older Women Matter: Harnessing the talents of Australia's older female workforce* encouraging Australian organisations to implement workforce solutions that better harness the skills and talents of Australia's female mature-age workforce. (For further information on DCA's research, please go to <http://www.dca.org.au/dca-research.html>)

DCA has also made numerous submissions to important government inquiries on legislative reform pertaining to equal employment opportunity/diversity. Recent submissions have been made to inquiries such as the Commonwealth Discussion Paper on improving the employment participation of people with disability in Australia; the Australian Law Reform Commission Issues Paper: Grey Areas – Age Barriers to Work in Commonwealth Laws; the Review of the Equal Opportunity for Women in the Workplace Act 1999 and Agency in which numerous recommendations that DCA made in its submission to the Inquiry were taken up by the Government; Australia in the Asian Century; Inquiry into workplace bullying; and consolidation of anti-discrimination legislation.

Our members also have access to leading thinking, practice and research on diversity through our regular publications *Research Matters*, *Diversity Matters update* and *Diversity Matters*. Members can also access our website that provides a wealth of useful information on diversity to members, in a variety of formats such as video and audio.

Networking and knowledge sharing

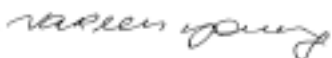
DCA has an exciting calendar of events that includes a selection of formats such as face to face forums, teleconferences, 'hot topic' updates and research briefings – all designed to ensure that our members have access to networking alongside cutting edge diversity thinking with commercial application that can be readily applied in your workplaces to drive business performance. Our second Annual Diversity Debate in 2012, moderated by Tony Jones, explored a highly contemporary topic for business, government and the broader community: that racism is holding Australia back. This year's Diversity Debate will be held in November 2013. (For further information on DCA's events, please go to <http://dca.org.au/events.html>)

DCA Chair, Anna McPhee, former Director of the Equal Opportunity for Women in the Workplace Agency, said access to a skilled workforce is a growing challenge for business leaders:

"Solutions can come from new migrants or better maximising the potential and productivity of the existing workforce, including ending the underemployment of women. Both require action by business to remove the barriers to greater diversity in all workplaces and at every level right up to the top. Being part of DCA, a member-based organisation, will give your business access to the latest information, research, advice and networks to implement and enhance diversity programs to deliver real results."

In closing, I welcome your organisation as a valued DCA member and we look forward to ongoing mutual benefit and success.

Yours sincerely,



Nareen Young
Chief Executive Officer

Russell Westacott
CEO
The Aged-care Rights Service Inc.
Level 4, 418a Elizabeth St
Surry Hills 2010

31 May 2013

Dear Russell

RE: Older Persons Legal & Education Program

This is just a short letter to acknowledge you and your team for our ongoing partnership in the Older Persons Legal & Education Program over the past year.

We continue to appreciate referrals from the Older Persons Legal Service and encourage your lawyers to continue to refer matters to us where you believe that we could provide assist older people who may not fall within the Legal Aid NSW policies but who would benefit from some minor assistance.

We have also had some successful results for clients OPLS has referred to us who have been eligible for a grant of legal aid. We would like to see these referrals continue.

Similarly, we appreciate the ability to refer clients who require advice and assistance from your lawyers who have expertise in aged care and retirement village matters.

We look forward to further building on this relationship in the coming year.

Yours sincerely



Lauren Finestone
Solicitor

20 May 2013

Ms Pat Joyce
The Aged Care Rights Service
Level 4
418A Elizabeth Street
SURRY HILLS NSW 2010

Dear Pat

On behalf of Thomas Holt, I would like to thank you for your support and attendance at our recent Aged Care Forum held at Tradies, Gympie.

As you are probably aware, this was the first of its kind for Thomas Holt where we targeted a specific demographic to hear from older Australian's on what they want in home care services. The intimate setting allowed attendees to hear from industry experts, ask relevant questions and also gave them the opportunity to circulate amongst our sponsors to learn more about the services they provide.

Thank you again for your attendance and we hope you found the forum informative and beneficial to your organisation.

Yours sincerely



Alexandra Zammit
Chief Executive Officer



Jill Hall MP

FEDERAL MEMBER FOR SHORTLAND • GOVERNMENT WHIP

26 Macquarie Street, Belmont NSW 2280, PO Box 499 Belmont NSW 2280

Tollfree: 1300 301 792 Ph: (02) 4947 9711 Fax: (02) 4947 9722 Email: Jill.Hall.MP@aph.gov.au Web: www.jillhall.com

27 May 2013

Mr Ray Horsburgh
The Aged-Care Rights Service
Level 4, 418A Elizabeth Street
Surry Hills NSW 2010

Dear Ray,

I would like to personally thank you for coming along to speak at the Central Coast Positive Living and Lifestyle Forum for seniors on behalf of The Aged-Care Rights Service.

Your willingness to share your time and expertise is very much appreciated.

I had a lot of positive feedback after your presentation from people who weren't aware of the service. I am really encouraged by the response – there was hardly a TARS brochure left to take back to the office – and I know this will translate into more people accessing the service.

Please pass along my thanks to Rosalene for organising TARS' participation again this year.

Thank you again for helping to make the Positive Living Day such a success.

Kind regards,

Jill Hall MP

Federal Member for Shortland

WAR MEMORIAL HOSPITAL WAVERLEY

125 Birrell Street Waverley, N.S.W. 2024 Telephone: (02) 9369 0100

Facsimile: (02) 9387 7018

Health Promotion at War Memorial Hospital provides free monthly public seminars on different health related topics. Over the past four years TARS has provided guest speakers for two different seminar topics. These sessions covered information on the services TARS provides and examples of different issues they have helped consumers deal with and explanation on the differences between retirement villages and aged care facilities. Another session covered wills, power of attorney, guardianship and advanced care directives. The speakers have always been very professional and most knowledgeable about their subject and very happy to answer numerous questions from the audience. Two more sessions are planned in the coming months and we hope that this close association can continue into the future. Kind regards



Catriona Beaumont

Health Promotion Co-ordinator, War Memorial Hospital | Sydney
Region | UnitingCare Ageing NSW.ACT
T: (02) 9369 0215 | Catriona.Beaumont@sesiahs.health.nsw.gov.au |



An Agency of UnitingCare - NSW.ACT

Rehabilitation Unit, ACAT, Physiotherapy, Occupational therapy, Speech Pathology, Social work,
Dialysis Services, Dietetics, Day Care Centre - Frail Aged & Dementia, Podiatry Service, Chaplaincy Services.

PLEASE ADDRESS ALL CORRESPONDANCE TO THE SITE MANAGER

John Fullarton
Secretary
HKCO Residents Committee
150 Maidens Brush Rd
WYOMING NSW 2259
Tel. 02 4322 6621



Ms R Jones
Manager Education and Promotion
The Aged-care Rights Service Inc.
Level 4, 418a Elizabeth St, Surry Hills
NSW 2010

8 August 2013

Dear Ms Jones

On 6 June 2013 I emailed you and sought a guest speaker from The Aged-care Rights Service for an Information Forum to be conducted by the Residents Committee of the Henry Kendall Gardens Retirement Village on 19 July 2013. This Forum was designed to inform both new and more established Residents of matters relevant to their life in the Village. Subsequently I was contacted by Nalika Padmasena, Solicitor from TARS, and arrangements were made for her to attend the Forum.

Nalika gave a most interesting and informative presentation which was well received by the 85 Residents in attendance. On behalf of the Residents Committee I would like to thank you and TARS for your assistance and request that you pass on to Nalika our appreciation for helping make the Forum a successful occasion.

Yours Sincerely

John Fullarton
SECRETARY
Henry Kendall Gardens Residents Committee

Tuesday, 6 August 2013 12:22 PM
Subject: Keys of Culture 2013: Thank you for your support!

Dear Keys of Culture-Workshop and Dialogue presenters,

Hope you are all well.

On behalf of the Illawarra ACSIHAG Network, we would like to express our words of appreciation for your valuable contribution to another successful event of Keys of Culture.

We hope you have enjoyed being part of this combined effort to promote "the strategy" to the Illawarra's Aged Care Service providers of residential and community care levels.

Feedback from participants has been extremely positive and that would not be possible without your expertise and collaboration.

We hope this was just one of many opportunities to work collaboratively towards the promotion of culturally appropriate care and commitment from services to continuous improvement and better practices for the future.

Once again our sincere thank you for your collaboration and support. We hope you have enjoyed the day as much as we did.

Greatly appreciated,

Patricia & Magdalena [on behalf of Illawarra ACSIHAG Network]

CALD Partners Project Coordinators

Multicultural Communities Council of Illawarra

"Previously known as the Illawarra Ethnic Communities Council Inc"

Telephone **02)4229 7566**

Fax **02)42263146**

Mobile **0422 711 509/0402 821 672**

Web www.mcci.org.au

The Aged-Care Rights Service Planning Ahead Seminar



Tuesday 12th March 2013
Forbes Youth & Community Centre
Corner Battye & Press Streets, Forbes
9.15am—11.30am
RSVP by 8th March 2013 on
0405364512

Information on:

- The Aged-care Rights Service
- Older Persons' Legal Services
- Wills
- Power of Attorney
- Guardianship
- Advanced Care Directive
- Funeral s
- Retirement Village living
- Advocacy



Financial Statements

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THE AGED - CARE RIGHTS SERVICE INCORPORATED (ABN 98 052 960 862)
YEAR ENDED 30 JUNE 2013

Management Committee Declaration

As detailed in Note 2 to the Financial Report, in Management's opinion, the Organisation is not a reporting entity because there are no users dependent on general purpose financial reports. This is a special purpose Financial Report that has been prepared to meet the Organisation's reporting requirements to the Members.

The Financial Report has been prepared in accordance with Accounting Standard APES 205 Conformity with Accounting Standards and other Australian Accounting Standards and mandatory professional reporting requirements to the extent described in Note 2 to the Financial Report.

The Management Committee declares that the Financial Report and Notes set out on pages 46 to 56:

- a) comply with Australian Accounting Standards and other mandatory professional reporting requirements as detailed above; and,
- b) give a true and fair view of the Organisation's financial position as at 30 June, 2013 and of its performance as represented by the results of its operations and its cash flows for the financial year then ended.

In the Management Committee's opinion, there are reasonable grounds to believe that the Organisation will be able to pay its debts as and when they become due and payable.

Signed in accordance with a resolution of the Committee.

BARBARA SQUIRES

Committee Member - Chairperson

CRAIG GEAR

Committee Member - Treasurer

Sydney

16th October, 2013

Auditor's Report

INDEPENDENT AUDITORS REPORT TO THE MEMBERS FOR THE YEAR ENDED 30 JUNE 2013

Report on the Financial Report

We have audited the special purpose financial report of THE AGED – CARE RIGHTS SERVICE INCORPORATED (the organisation), which comprises the income statement, balance sheet, notes to the financial statements and management committee declaration for the year ended 30 June 2013 as set out on pages 46 to 56.

Committee Members Responsibility for the Financial Report

The committee members are responsible for the preparation and fair presentation of the financial report and have determined that the accounting policies described in Note 2 to the financial statements, which form part of the financial report, are appropriate to meet the needs of the members. The committee members responsibility also includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 2, are appropriate to the needs of the members. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee members, as well as evaluating the overall presentation of the financial report.

The financial statements have been prepared for distribution to members for the purpose of fulfilling the committee members financial reporting requirements under various funding agreements. We disclaim any assumption of responsibility for any reliance on this report, or on the financial report to which it relates, to any person other than the members, or for any purpose other than that for which it was prepared.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements and the Corporations Act 2001. We confirm that the independence declaration provided to the committee members of The Aged – Care Rights Service Incorporated on 16th October 2013, would be in the same terms if provided to the committee members as at the date of this auditor's report.

Audit Opinion

In our opinion, the financial report presents fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements the financial position of the organisation as at 30 June 2013.

(a)

i) giving a true and fair view of the organisation's financial position as at 30 June 2013 and of its performance for the year ended on that date in accordance with the accounting policies described in Note 2; and

ii) complying with Accounting Standards in Australia, to the extent described in Note 2, and

(b) other mandatory professional reporting requirements to the extent described in Note 2.

CCS PARTNERS

Chartered Accountants

Emanuel P Calligeros

Partner

Date: 16th October, 2013
154 Elizabeth Street,
SYDNEY NSW 2000

LEAD AUDITOR'S INDEPENDENCE DECLARATION

To the Members of **THE AGED - CARE RIGHTS SERVICE INCORPORATED**.

As lead engagement partner for the audit of **THE AGED - CARE RIGHTS SERVICE INCORPORATED** for the year ended 30 June 2013, I declare that, to the best of my knowledge and belief there have been:

- i. no contraventions of the independence requirements of the Corporations Act in relation to the audit; and
- ii. no contraventions of any applicable code of professional conduct in relation to the audit.

CCS PARTNERS

Emanuel P Calligeros

Partner

Sydney

16th October, 2013

Income Statement

	Note	2013 \$	2012 \$
ORDINARY ACTIVITIES			
Revenue from Ordinary Activities		1,570,535	1,466,026
Transfer (to)/from Grants Unexpended (Net)		-	-
	6	1,570,535	1,466,026
Employee Benefit Expenses		(1,071,152)	(990,481)
Depreciation & Minor Asset Acquisitions		(11,791)	(12,726)
Other Expenditure from Ordinary Activities		(485,027)	(484,418)
Net Surplus (Deficit) from Ordinary Activities		2,565	(21,599)
Add/(Less):			
Proceeds on Sale of Vehicles		-	-
Transfer (to)/from Reserve for Replacement Assets	3	-	-
Transfer (to)/from Provision - Contingent Liabilities		-	-
		2,565	(21,599)
Add:			
RETAINED EARNINGS – Balance 1 July, 2012		222,224	243,823
RETAINED EARNINGS – Balance 30 June, 2013		224,789	222,224

This Income Statement is to be read in conjunction with the Notes to the Financial Statements as set out on pages 52 to 54.

Balance Sheet

	Note	2013 \$	2012 \$
<u>FUNDS & PROVISIONS</u>			
Retained Earnings		224,789	222,224
Provision for Contingencies		-	-
<u>TOTAL FUNDS & PROVISIONS</u>		224,789	222,224
Represented by:			
<u>CURRENT ASSETS</u>			
Cash at Bank & on Deposit		523,546	487,362
Other Debtors		51,721	5,889
<u>Total Current Assets</u>		575,267	493,251
<u>NON-CURRENT ASSETS</u>			
Furniture & Equipment - at Cost		186,385	186,385
Less Amounts Expensed & Provision for Depreciation		(140,827)	(129,036)
<u>Total Non-Current Assets</u>		45,558	57,349
<u>TOTAL ASSETS</u>		620,825	550,600
Less:			
<u>CURRENT LIABILITIES</u>			
Payables		159,806	125,455
Provision for Staff Entitlements	5	208,230	174,921
Reserve for Replacement Assets	8	28,000	28,000
Grants in Advance & Unexpended		-	-
<u>Net Current Liabilities</u>		396,036	328,376
<u>NET ASSETS</u>		224,789	222,224

This Balance Sheet is to be read in conjunction with the Notes to the Financial Statements as set out on pages 52 to 54.

Notes to the Financial Statements

1) ORGANISATIONAL STRUCTURE

The Organisation is incorporated under the Associations Incorporation Act 1984. Its main aim is to provide an advocacy service for residents of nursing homes, hostels and retirement villages. Funds are supplied to the Organisation in the form of Grants received from the Federal and State Governments and other interested bodies. The income and assets of the Organisation are applied solely towards the promotion of the aims for which it was established and no portion, thereof, is to be applied to the benefit of the members or to that of any interested person.

2) SIGNIFICANT ACCOUNTING POLICIES

- a) The Organisation is not a reporting entity because, in the Management's opinion, there are no users dependent on general purpose financial reports. This is a "special purpose" Financial Report that has been prepared for the sole purpose of the requirements to prepare and distribute a financial report to the Members and must not be used for any other purpose. Management has determined that the accounting policies adopted are appropriate to meet the needs of the Members. The Organisation has applied Accounting Standard APES 205 Conformity with Accounting Standards, which amended the application clauses of all standards existing at the date of its issue so that they now apply only to entities that qualify as reporting entities. However, the Financial Report has been prepared in accordance with Accounting Standard AASB 101: Presentation of Financial Statements and other applicable Australian Accounting Standards and Urgent Issues Group, Consensus Views, with the exception of the disclosure requirements in the following:

- AASB 8 - Operating Segments
- AASB 124 - Related Party Disclosures

The Financial Report has been prepared in accordance with the historical cost accounting convention. The accounting policies are consistent with those of the previous year.

b) Fixed Assets & Depreciation

Fixed Assets are depreciated on the prime cost basis so as to write off the cost of the assets over their estimated useful lives.

Notes to the Financial Statements

3) RESERVE FOR REPLACEMENT ASSETS	2013 \$	2012 \$
Balance – 1 July, 2012	28,000	28,000
Add Transfer from Net trading	-	-
	-	-
Balance – 30 June, 2013	28,000	28,000

4) INCOME TAX

The Organisation has been recognised by the Australian Taxation Office as an Income Tax exempt charitable entity. No provision for taxation has been raised in the Financial Report.

5) PROVISION FOR STAFF ENTITLEMENTS

Provision for Relief Staff	-	-
Provision for Parenting Leave	23,187	18,797
Provision for Long Service Leave	104,208	83,564
Provision for Redundancy/Staff Payout	80,835	72,560
	208,230	174,921

6) OPERATING RESULTS

The Surplus (deficit) of Income and expenditure for the year is arrived at:

- after charging:

i) Auditor's Remuneration (Refer to Note 7)	9,500	9,600
ii) Minor Fixed Assets acquired during the year expensed through the Income Statement	2,342	5,383
iii) Long Service, Annual & Sick Leave Provisions	39,367	33,045
iv) Depreciation of Non-Current Assets	11,791	12,726

- after crediting:

v) Grants Received	1,543,537	1,422,261
vi) Interest Received	26,678	34,448
vii) Other Income	320	9,317
Gross Revenue	1,570,535	1,466,026

Notes to the Financial Statements

7) AUDITOR'S REMUNERATION

2013
\$

2012
\$

Amounts received or due and receivable by the Organisation's Auditor for Audit of the Financial Year

Report	8,200	8,200
Other Services	1,300	1,400

The Auditor received no other benefits from the Organisation.

8) RESERVE FOR REPLACEMENT ASSETS

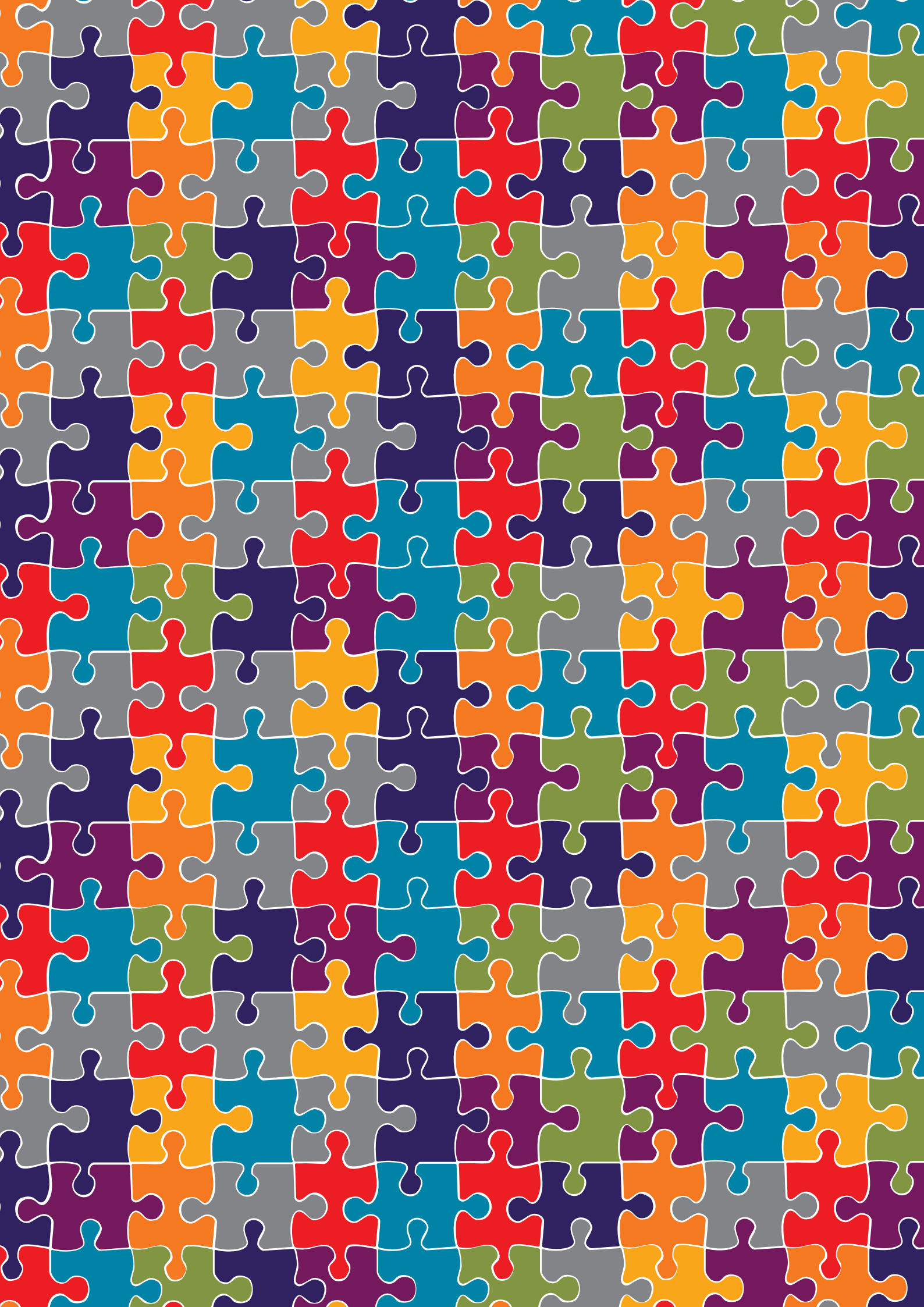
Balance – 30 June, 2013	28,000	28,000
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Statement of Cash Flows

	2013 \$	2012 \$
<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>		
Cash Received from Government Grants, etc	1,543,857	1,431,578
Cash payments for Operating Activities	(1,534,351)	(1,451,498)
<u>Net Cash Inflow from Operating Activities</u> (Note 2)	9,506	(19,920)
<u>CASH FLOWS FROM INVESTMENT ACTIVITIES</u>		
Interest Received	26,678	34,448
Proceeds on Sale of Vehicles	-	-
Payments for Plant & Leasehold Improvements	-	(9,950)
<u>Net Cash Inflow from Investment Activities</u>	26,678	24,498
<u>INCREASE (DECREASE) IN CASH HELD</u>	36,184	4,578
<u>Cash Balance at Beginning of Year</u> (Note 1)	487,362	482,784
<u>CASH BALANCE AT END OF YEAR</u> (Note 1)	523,546	487,362
<u>Note 1: Reconciliation of Cash</u>	<u>Cash at</u>	<u>Cash at</u>
	<u>End of Year</u>	<u>End of Year</u>
Cash at Bank & on Short-Term Deposit	523,146	486,962
Cash in Hand	400	400
	523,546	487,362
<u>Note 2: Reconciliation of Net Cash Inflow from Operating Activities to Operating Surplus (Deficit)</u>		
Operating Surplus (Deficit) for the Year	2,565	(21,599)
<u>Add/(Less):</u>		
Depreciation	11,791	12,726
(Increase)/Decrease in Other Current Assets	(45,832)	(5,539)
(Increase)/Decrease in Fixed Assets	-	(9,950)
Increase/(Decrease) in Payables	34,351	(7,505)
Increase/(Decrease) in Provisions	33,309	36,445
(Increase) in Investment Activity	(26,678)	(24,498)
Increase/(Decrease) in Reserves	-	-
<u>Net Cash Inflow from Operating Activities</u>	9,506	(19,920)

Detailed Income & Expenditure Statement

	2013 \$	2012 \$
INCOME		
Grants Received - Recurrent	1,543,537	1,422,261
- One-off funding (DoHA)	-	-
Interest Received	26,678	34,448
Sundry Income	320	9,317
Gross Income	1,570,535	1,466,026
Less EXPENDITURE		
Accounting & Audit Fees	9,500	9,600
Advertising	9,267	14,421
Bank Charges	1,075	1,365
Bookkeeping	6,183	-
Conferences, Expos, Seminars & Workshop Expenses	13,134	24,581
Depreciation & Scrapped Assets	11,791	12,726
Insurances	4,833	5,213
Interest	11	-
Legal & Consultants Fees	5,117	575
Long Service, Annual & Sick Leave Provisions	39,367	33,045
Motor Vehicle Costs	8,869	9,018
Office Equipment Acquisitions	2,342	5,383
Office Expenses & Amenities	32,773	30,216
Postage, Printing, Stationery & Publication Costs	28,600	28,587
Reference Literature & Software etc	3,703	3,813
Rent & Outgoings	146,000	138,863
Repairs & Maintenance	35,782	42,170
Salaries - Permanent & Relief Staff (including Workers Compensation Insurance)	1,044,450	970,347
Solicitors' Expenses	4,080	3,689
Subscriptions	10,173	11,148
Superannuation	91,039	84,018
Telephone	19,924	18,484
Travel & Accommodation	25,651	23,613
Utilities (including Cleaning)	14,216	13,167
Website Expense	90	3,583
Total Expenditure	1,567,970	1,487,625
Add: Proceeds on Sale of Vehicles	-	-
Add/(Less):		
Transfer to Reserve for Replacement Assets	-	-
OPERATING SURPLUS (DEFICIT) for the Year	2,565	(21,599)



TARS - The Aged-care Rights Service Inc.

Level 4, 418A Elizabeth Street, Surry Hills NSW 2010

Phone: (02) 9281 3600

Fax: (02) 9281 3672

Country callers: 1800 424 079

TARS

THE AGED-CARE RIGHTS SERVICE INC

including Older Persons' Legal Service

