



ANNUAL REPORT 2010 - 2011

25th
Anniversary

100 Years 25th Anniversary

TARS: ITS BEGINNINGS

Aged care is an essential support for the most vulnerable and dependent in the Australian community unable to care for themselves or rely on the assistance of unpaid family members. From its origins in the large indoor-relief institutions that developed from 1815 with the creation of the Benevolent Society of New South Wales, systems have been needed to provide support services, to make them accessible to those who need them and to regulate their operation to ensure that they are fit to the task. In practice the reality often falls well short of the ideal. Without legal support for care recipients and specialised educational and other interventions, there can be no guarantee of the quality of care, the rights of individual residents or protection and recognition for staff.

From the 1950s residential aged care in NSW came to be provided by nursing homes and homes for the aged, or hostels as the large hospitals that had hitherto provided

NEWS RELEASE

The Accommodation Rights Service, a new advocacy service for elderly residents will be opened by the Hon. Frank Walker QC Minister for Housing at Redfern Town Hall 10.30am Wednesday 5 March 1986

The Report "If Only I'd Known" has revealed many issues that are of great concern to residents of accommodation for elderly people.

The Aged Care Coalition has established the Accommodation Rights Service, an advocacy service for elderly residents. The service will act as a support for residents in maintaining their rights and independence.

The service will also work with residents, staff, management and government to promote a real sense of community in what is still institutional accommodation.

The service will be concentrated in the Sydney Metropolitan area but will have significant state and nationwide implications.

It will employ four primary strategies to do this:

1. the development and delivery of a program of education, and support on aspects of community living for residents, staff, management and community workers;
2. legal research and reform involving the development of tenancy rights complaints for residence;
3. limited mediation and legal casework arising out of disputes, and where necessary referral to appropriate legal and other services;
4. consultation with residents, service providers, community workers, legal workers, and government on their needs and proposals for reform.

The service is funded by the Law Foundation of NSW and the NSW Department of Housing.

The service is a first step in opening up communications between

residents, service providers and government. The experiences of residents and staff will provide valuable insights in formulating proposals for reform.

The service will focus its attention on research, reform, education and support rather than the short term solution of mediation and casework in a framework that does not adequately ensure residents' rights and a community environment. Residents live in communal accommodation on a long term basis. Actions which impose solutions to disputes, without addressing the underlying tensions are not real solutions at all.

'Horror' conditions in boarding houses

long-term care for older patients began to focus on acute care and specialised medical practice. In 1962 nursing homes became eligible for subsidy from the Commonwealth Government, leading to a rapid expansion of poorly regulated institutions. Alongside homes run by the State Government and by church-based and charitable institutions, a significant number of homes were opened as businesses. As the for-profit sector soon became the largest sector in the State, the economics and quality of care often appeared to be in conflict. Both funding and staffing were at low levels. Despite being formally regulated under NSW legislation originally intended for private hospitals, the adequacy and quality of these homes varied greatly.

Although the Commonwealth funded residential facilities provided for the sequestration of long-term care, public attention was drawn to them from time to time as scandals involving abuse and neglect drew media attention. Under the banner of SWAG, the Social Welfare Action

Protecting the elderly

THE two most vulnerable groups in society are the very young and the aged: both need and deserve protection.

A report by the Aged Care Coalition highlights how cruelly some people are exploited and deprived of fundamental rights in places such as hostels and boarding houses.

Such a situation demands immediate government action and the move by the Police Minister, Mr Paciullo to set up an Aged Services Unit for the force is a step in the right direction.

However it is obvious that better Government policing of the practices in hostels and homes for the aged is also necessary.

RESIDENTS in some NSW boarding houses are threatened with medication and injections as "punishment", according to a report released yesterday.

A study by a group of legal and social welfare experts found many people going into boarding homes, hostels and self-care units were being subjected to horrific conditions.

In many cases elderly people were being asked to make "donations" of up to \$10,000 for the privilege moving into a hostel or other retirement homes.

However once they gained admittance, many of the residents wished they had never left their original homes.

The study team received complaints that:

- The quality of food was appalling – and those who did not like it usually had to go without.
- Some residents had virtually their entire pension cheque commandeered to cover the cost of "rent and maintenance". Others had to pay for extras including use of a radiator in winter or "social club" membership.

- Privacy was virtually non-existent in some places.

The study, 'If Only I'd Known', released by the Aged Care Coalition yesterday, was launched at Redfern Town Hall by Federal Community Services Minister, Senator Grimes and traced the experiences of 60 elderly residents.

THREATENED

Among those on the study team were Mr John Barber of the Combined Pensioners Association, Mr Hugh Dillon of the NSW Council of Social Service and Mr Dominic Gibson of the Redfern Legal Centre.

The State Housing Minister, Mr Walker, said yesterday there was no doubt that some nursing homes, boarding houses and hostels were very poorly run.

He said the Government had decided to set up an advocacy service for people who believed they were being exploited.

By Peter Grimshaw

Daily Telegraph, Thursday March 6 1986

Daily Telegraph, Friday March 7 1986

Group, a group of social workers, academics and student activists held a major public conference at the University of Sydney in 1981 that helped focus attention on the systemic nature of these problems. This was followed by a well-publicised phone-in on the 'Abuse of the Elderly' in March 1982, involving collaboration between SWAG, the Combined Pensioners Association, Redfern Legal Centre and the Australian Consumers Association, which was provided with a small subsidy by the NSW government. The phone-in received over 500 calls in a single weekend, the overwhelming majority of them identifying neglect, physical abuse, financial abuse, sexual and emotional abuse in aged care facilities and boarding houses. These allegations and stories were produced in a report titled 'Prisoners of Neglect' published by SWAG.

Over the following three years campaigning continued for counter-measures to be taken. The Aged Care Coalition was formed to identify a means of improving the quality of life for older people living in supported accommodation. The coalition was comprised of seven organisations: Redfern Legal Centre; Social Welfare Action Group; Disabled Persons International; NSW Council of Social Service; NSW Combined Pensioners Association; Ethnic Communities Council; and the Australian Consumers Association. Members of the Coalition started visiting aged care organisations to follow up on complaints that kept coming in after the phone-in. Evidence of the abuse noted in the phone-in was provided to the Senate Enquiry on Nursing Homes and Private Hospitals and taken up in national policy debates, over time leading to a range of user rights measures being incorporated into state and later national laws.

This activity clearly demonstrated the need for a permanent resource that would fight for the rights of older residents of aged care. The Coalition went on to undertake further research which was auspiced by the Australian Consumers Association and published in the report 'If Only I'd Known'. Funding from the NSW and Commonwealth Governments was finally negotiated for an independent advocacy service to offer legal advice and education to the aged care industry and the community. This struggle constitutes the birth of TARS, originally known as The Accommodation Rights Service, launched in March 1986 by Frank Walker, then NSW Minister for Community Services.

Michael Fine

Macquarie University

Old people exploited in care homes, says report

Many old people in retirement housing are losing control of their pensions, are being robbed by managers and can't even choose their own doctor, says a report released yesterday.

And many are too scared to complain about management for fear of eviction.

The report, compiled by the Aged Care Coalition, was released by the State Housing Minister, Mr Walker, who announced an advocacy centre for old people.

The Aged Care Coalition is a group of welfare and legal organisations dealing with the elderly.

The report said people in retirement accommodation lose control over many fundamental freedoms of life.

It surveyed residents in self-care units, hostels and boarding houses. There are 15,000 self-care units, 264 hostels and 201 boarding houses in NSW. Many boarding house residents lose control of pensions and are given only a small weekly allowance from accommodation managers. One resident was allowed only \$2.50 to \$3 a week.

More than a third of those interviewed were forced to see a doctor provided by management.

Residents said managers entered rooms without permission and some said they had been robbed.

"They all seem to be able to get in", a hostel resident said. "While you're eating your meal, you're being robbed."

The majority of boarding house residents was not offered any choice of where they moved. One said: "One of the doctors told me to pack my bags and go with him to the boardinghouse."

Many people were asked intimate details before being allowed to move in and I had to sign it," a boarding resident said. "I had about \$25. The nurse took that."

The report also found residents had little or no protection from eviction. Many were too scared to complain about management for fear of eviction.

The advocacy centre, at Redfern Town Hall, will advise residents, including those in nursing homes, of their rights.

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CASE STUDY

A resident living in an aged care home was in hospital for an operation. Whilst there, the hospital received a fax informing them that the nursing home would not be taking her back. The hospital passed this information to the Aged Care Assessment Team (ACAT) who assessed the woman and deemed her able to return to the aged care home where she had lived for 20 years. The ACAT social worker contacted TARS enquiring about the woman's rights, and the advocate explained security of tenure. The advocate then wrote to the director of care at the aged care home outlining their responsibility in following guidelines on tenure, and the resident's right to an independent assessment, which had been provided by ACAT, and now had a right to return home. Following the intervention by TARS, the aged care home was challenged to change their policy in regards to the rights of residents and their long term needs.

All clients in our case studies have been de-identified.

25th Anniversary

CHAIRPERSON'S REPORT

In September 2010 I took over as Chair of TARS after Russell Westacott stood down as Chair when he expressed interest in applying for the vacant Chief Executive Officer role.

With the support of key people from some of TARS' major funders, the Management Committee carried out a rigorous selection process. Russell Westacott was the successful applicant, and commenced as CEO on 10 January 2011. All the staff of TARS, and especially Tom Cowen, (Manager, Legal Services) who acted as CEO, took on extra responsibilities with professionalism and cheerfulness during the recruitment process, and I thank them all.

The updating of TARS' Constitution has been a priority in the past year. The current constitution has been in place for some time and does not reflect the contemporary functioning of TARS. The proposed new constitution is based on the Office of Fair Trading's model constitution for incorporated associations and we will seek membership support for the change in the 2011-2012 financial year.

2011 is an important year for TARS which celebrates 25 years of service. From its very humble grassroots beginnings, The Accommodation Rights Service emerged in 1986. The organisation served older people who were disadvantaged and provided advocacy and advice services, ensuring their accommodation and legal rights were upheld. With few resources, a dedicated group of people with a common focus on the human rights of older people began an organisation that today provides around 10,000 occasions of service each year to older people or their representatives. Staff today work on programs that include education and promotion, advocacy, legal services and retirement village legal services. In all, TARS – despite its relatively small size of 16 staff – is a multifaceted organisation that reaches people right across New South Wales.

TARS operates today with the same passion that drove it 25 years ago. Both staff and the Management Committee bring their skills and expertise to the organisation and continue to ensure that older people across NSW are provided a range of services and are treated with dignity and respect.

TARS' finances are in good shape thanks to the careful management of the previous CEO, Janna Taylor, the current CEO Russell Westacott and the Finance Officer Stella She. The Management Committee is confident that the organisation is being prudently operated, as seen in TARS' healthy retained earnings. Badly needed upgrades were made to the website and computer server, and the client database may also need an upgrade in the coming year so TARS' staff are able to provide the best possible service to older people.

I would like to express my appreciation to my colleagues who give their time to the TARS Management Committee, and to all the staff for their commitment and outstanding teamwork.

Barbara Squires
Chair

CHIEF EXECUTIVE OFFICER'S REPORT

I joined The Aged-care Rights Service Inc. (TARS) in early January 2011. It is a great organisation that is filled with passion and commitment. In my first week at TARS I met with each staff member individually for the purpose of learning their role and function within the organisation. It was through this exercise that I discovered that the most valued resource of TARS is the staff. Each staff member plays an invaluable role and each displays unfettered dedication to their work.

During the past year all staff contracts were reviewed and streamlined. Organisational policies and procedures are being reviewed and renewed where necessary. The policy and procedure review and updating is ongoing and will be completed in the 2011-2012 fiscal year.

Two significant pieces of infrastructure: the TARS website and the TARS computer server have been upgraded.

The new website will focus on people. People are at the core of TARS' business. The website will be a work in progress with several trained staff whose task will be to monitor and expand the site. At its centrepiece will be the people we can potentially reach out to over the net. We view the internet as a growing resource which will play a much more integral role in service delivery than it currently does.

Our much needed new computer server was a large expense that was paid for before the end of the 2010-2011 fiscal year given we were going to finish the year with a surplus. The new server will provide TARS with more security and greater capacity. It is planned to serve TARS well into the

future and will overcome an array of capacity issues staff currently face in their day-to-day work. The server will not only cater to a potential growth in the organisation but it will alleviate issues with our database that currently struggles in its operations due to limited capacity.

Also, importantly, 2011 marks TARS 25th anniversary. It is an occasion to be proud of. All the staff over the years, the founding members, the committee members who have served TARS have each contributed in one way or another in making a positive difference in the lives of many thousands of older people across New South Wales. In recognition of this anniversary TARS is held a one-day seminar on November 4, 2011.

In closing, TARS fiscal shape is strong. We carry healthy retained earnings that can provide the organisation with some buffering into the future. The previous Chief Executive Office, Janna Taylor, is commended for passing on a financially healthy organisation.

None of this work is possible without a well-functioning volunteer based Management Committee. I thank the committee for their input and support over the past year and the time they have given to the organisation.

I would also like to thank our funders. Without this resourcing none of the work of TARS would be possible. Each funder has committed to resourcing TARS into the coming financial cycle and we gratefully acknowledge their commitment.

Russell Westacott
CEO

CASE STUDY

A resident of an aged care home in a rural town had to cancel specialist medical appointments as there was no transport available. The advocate wrote to the care manager then spoke to her and discussed the resident's right to appropriate medical treatment and also social interaction. The resident did not know her rights in this matter, nor had she been informed of Taxi Subsidy or about making a Financial Hardship application which would assist her to keep her appointments. When residents need to attend medical treatments, they have to pay for staff hours and overnight accommodation. The TARS advocate encouraged the care recipient to approach their local MP about the lack of transport in their area. TARS has tabled the issue of transport with every government forum at every opportunity.

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MANAGEMENT COMMITTEE AND STAFF

VOLUNTEER MANAGEMENT COMMITTEE

Barbara Squires (Chair)
The Benevolent Society

Sue Field
University of Western Sydney

Robert Markham
University of Sydney

Maree O'Halloran
Welfare Rights Centre

Lisa Ralphs
Presbyterian Aged Care NSW & ACT

TARS STAFF

Administration

Russell Westacott
CEO

Charmian Powell
Receptionist/Administration Assistant

Stella She
Finance Officer

Catherine Thompson
Administration Assistant (till May
2011)

Bernadette English
Administration Assistant

Older Persons' Legal Service

Tom Cowen
Manager Legal Service
Principal Solicitor

Margaret Small
Solicitor (OPLS)

Melissa Chaperlin
Solicitor (OPLS)

Tim Tunbridge
Solicitor (OPLS)

Retirement Village Legal Service

Nalika Padmasena
Solicitor (RV)

Additional Part-Time Solicitor (RV)

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)

Acknowledgement and 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)
- Commonwealth Attorney General's Department

MANAGER ADVOCACY REPORT

Aged care advocates responded to 2172 calls during the past year. Two thirds of these callers, mostly family members or residents themselves, were given information and support to advocate for themselves, one third received assisted advocacy by means of contact with the aged care provider by phone or letter, or at a face-to-face meeting.

Of these, only 137 were referred to the Aged Care Complaints Scheme for investigation or resolution. 36 residents were referred to TARS from the Complaints Scheme, mostly minor issues in relation to communication, food, laundry or non-return of fees or bonds.

After 25 years of offering

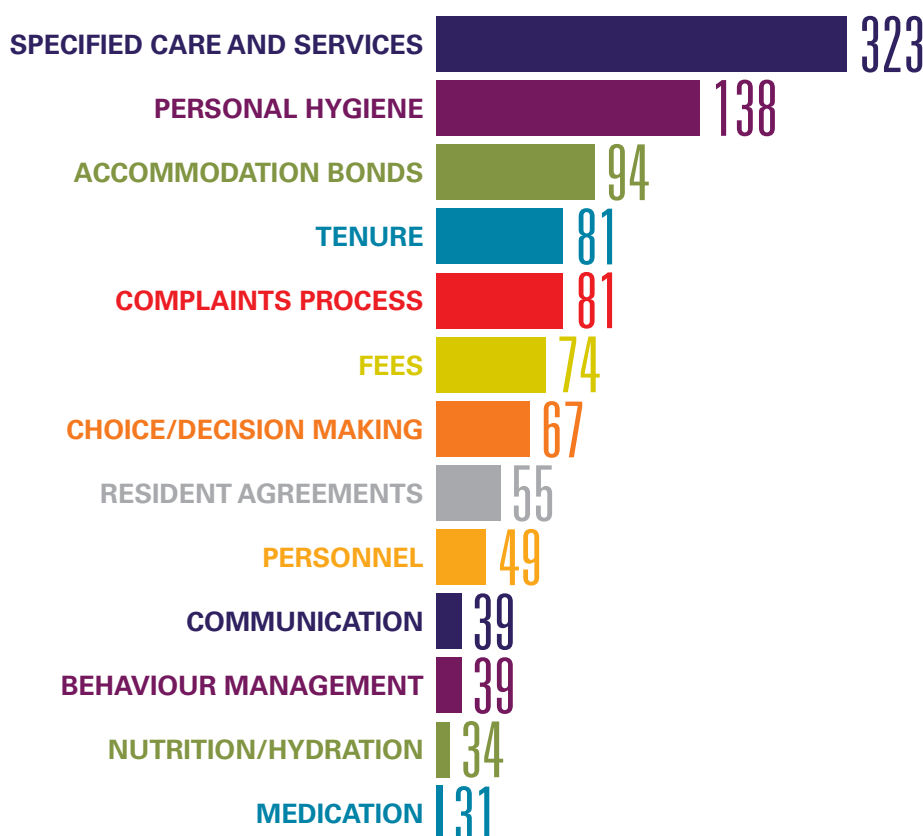
independent advocacy to aged care residents and recipients, some aged care homes are still unsure of our role, and occasionally attempt to shelter the residents from information about residents' rights and responsibilities. When TARS has become involved most issues are addressed resulting in satisfaction for both residents and the aged care provider.

Following the success of our submission to the SBS Foundation, 12 months of free community advertisements attracted many callers from remote and rural areas of NSW, as well as those from Culturally and Linguistically Diverse (CALD) backgrounds who would have otherwise not known

CASE STUDY

A resident in a high care facility was informed that it was too difficult for the staff to lift her out of bed with a hoist every day, so they would now shower her twice a week only. The woman enjoyed sitting in a chair and socialising with other residents. The advocate informed the daughter of the resident about the resident's rights, respect for preferences and services which should be provided to all residents in aged care homes. The resident's daughter was able to meet with the Director of Nursing and assert her mother's rights. The DoN admitted she did not get a chance to see the residents often, and was not aware of the issue. An Occupational Therapist was subsequently asked to assess the resident's needs for an appropriate lifter, one was trialed and now purchased by the home. The resident gets up every day and the daughter now reports that her mother is very happy.

MAJOR ISSUES ADDRESSED



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where to seek assistance for their issues in relation to aged care and elder legal matters. We thank the SBS Foundation for the valuable assistance they provided.

The Advocacy team has had input into several government consultation papers during the year, including:

- Productivity Commission Report: "Caring for Older Australians"
- Prudential Arrangements of Accommodation Bonds
- Aged Care Complaints Investigation Scheme
- Aged Care Standards and Accreditation Agency
- Interagency Protocol for Responding to Abuse of Older People

- "Staying Safe and Connected" a NSW Health and Community Partnership.

We have continued to meet regularly with the Complaints Investigation Scheme (now Complaints Scheme), and attend regular liaison group meetings with The Department of Health and Ageing and the Aged Care Standards & Accreditation Agency.

Advocates have presented a paper at the Australian Association of Gerontology NSW Division Rural Conference "ACROSS THE DIVIDE: "Lessons on care from urban and rural communities on younger people in aged care". We also attended a conference in Adelaide hosted by South Australia's Aged Rights Advocacy Service (ARAS) — "There's

No Excuse for Abuse". The conference was held on World Elder Abuse Awareness Day.

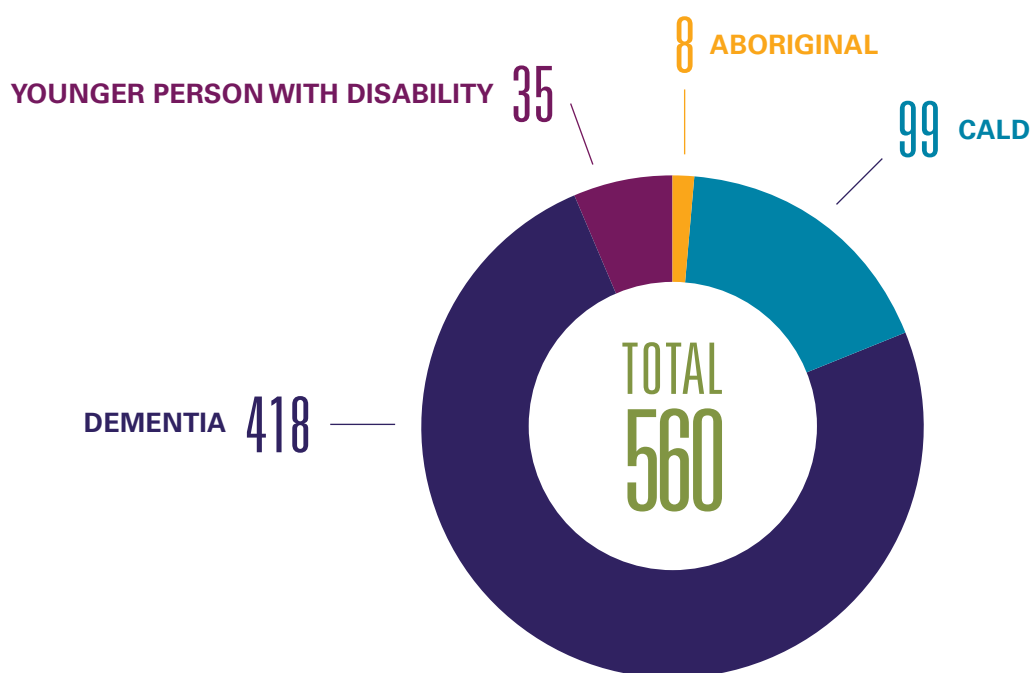
TARS responded to a case study scenario for the Accreditation Agency's Case in Point segment of their newsletter The Standard. Another response is being included in the upcoming newsletter. TARS has been invited to present a session at the Aged Care Accreditation Agency Better Practice Conference later this year on "Accessing Advocates".

The National Aged Care Advocacy Program (NACAP) Conference in June 2011 was a fantastic opportunity to meet with all the other NACAP advocacy services from other states and territories to discuss issues and strategies to meet the changing

ADVOCACY STATS 2010-2011

TOTAL ADVOCACY CASES	1126	INFORMATION ABOUT RIGHTS AS ENQUIRIES	996	2122
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SPECIAL NEEDS GROUPS



needs of our clients. The information about the reforms in aged care presented by the Department of Health and Ageing representatives resulted in robust discussions about the implications for NACAP services and the need to expand services in Victoria and NSW to meet the needs of HACC recipients, as these two states do not receive funding to work with this client group. The learnings from the conference included the different ways we approach issues as we all use different strategies and philosophies of service to address aged care issues, especially with issues of distance, varying geographical areas of the states, and the flexibility required in providing advocacy for

people from Aboriginal, and diverse cultural backgrounds. We enjoyed learning about the different projects which are being undertaken by each NACAP service. The concept of a National Secretariat to assist in the more regular occurrence of these conferences was raised by TARS as a means of planning the future direction of NACAP. Each NACAP service has its own areas of expertise, with TARS being a Community Legal Centre for older people in NSW as well as offering non-legal aged care advocacy. Each service shared different ideas which will improve the services we all provide.

Pat Joyce
Manager Advocacy

ADVOCACY STATS 1 JULY 2010 - 30 JUNE 2011

ADVOCACY SURVEYS DISTRIBUTED

343

RETURNED

174

TOTAL SATISFACTION RATE

92.2%

CASE STUDY

Mr & Mrs L have been residents of a Retirement Village since 2002 – operated by a Christian organisation established as an Incorporated association. Mr and Mrs L paid a \$500 entry contribution but there was no written contract.

They occupied a unit and they received a letter from the village manager welcoming them to their unit. Mr L had retained all the receipts of payments.

The association went into voluntary liquidation in August 2010. The Association's auditor was appointed as the Liquidator. Letters from the Liquidator advised residents to look for alternative accommodation. The letter appears to suggest that the residents were tenants at will and the Liquidator did not have a responsibility for residents' future accommodation options.

Mr L approached TARS for assistance after he received this letter. TARS advised Mr L that he had an implied contract for his unit in the village and that he was a resident rather than a tenant at will.

TARS assisted with a Consumer Tenancy and Trader Tribunal (CTTT) application to get an order that the Retirement Village Act applied and Mr L was a resident of the RV.

TARS prepared relevant documents and asked Mr L to provide a statutory declaration about the circumstances of his and his wife's entry into the village. The CTTT declared that Mr L's contract was an implied contract with the same terms of the contracts of other residents in the village.

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OLDER PERSONS' LEGAL SERVICE AND THE RETIREMENT VILLAGE LEGAL

STAFF

Tom Cowen was appointed as the Manager of Legal Services and took up the appointment as Principal Solicitor on 1 July 2010. On the resignation of Janna Taylor as CEO on 27 September 2010 Tom took up the role of acting CEO. Meg Small took up the position as acting Principal Solicitor. Our thanks to Meg for her support in this role.

Melissa Chaperlin has continued in the role as a solicitor for OPLS, always volunteering for additional projects, including taking on the role of coordinator for the Hypothetical Scenario for the TARS 25th Anniversary Seminar Day. We thank Melissa for the continued excellent service that she has provided over the year.

A new solicitor was appointed to OPLS on 20 September 2010 and Tim Tunbridge took up that position and proved a valuable contribution to the OPLS team. A part-time solicitor was appointed to the RVLS. This position contributes by taking on additional tribunal work for clients.

Nalika Padmasena has continued her diligent role as the full time retirement village solicitor.

A big thank you to all the legal staff and the administration support staff for their work during the year.

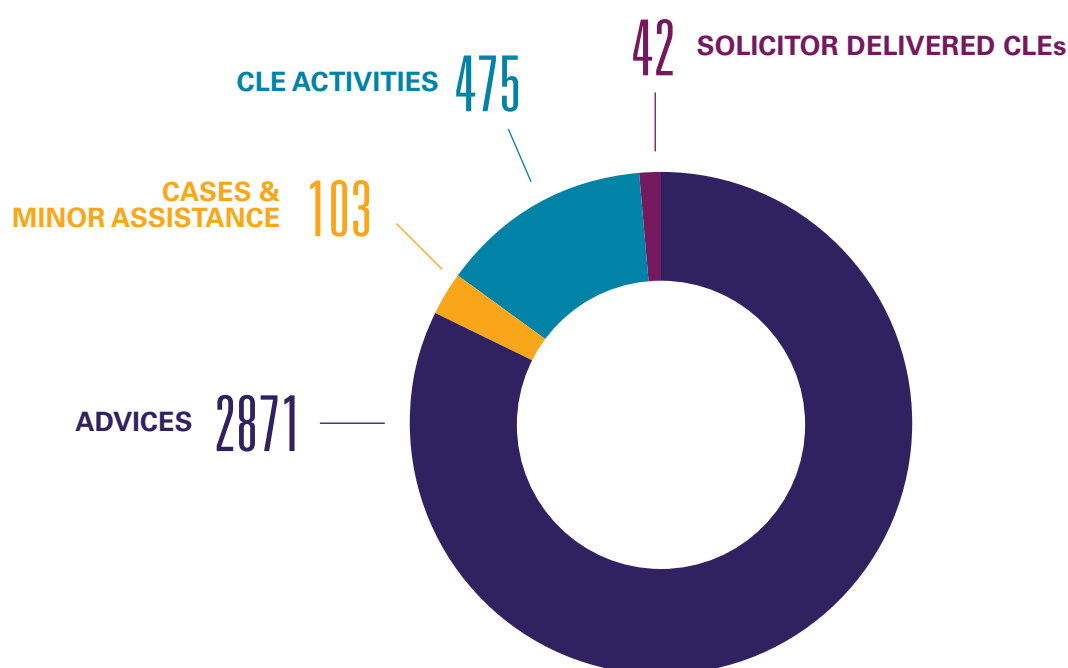
HIGHLIGHTS OF THE YEAR

The OPLS team re-wrote the Lawyer's Practice Manual chapter on Elder Law. This was a great exercise and good example of productive team work from the solicitors.

The OPLS team presented a seminar at the Community Legal Centres Quarterlies Conference on Elder Law to promote the capacity of CLCs to assist older clients.

The service has forged productive links with law firms to provide pro-bono support for TARS' clients.

OPLS STATS 1 JULY 2010 - 30 JUNE 2011



ADVICE SERVICE

- A pro-bono placement scheme has been developed where Sparke Helmore provide 2 solicitors for a half a day each on a weekly basis. These solicitors have been a real benefit in providing telephone and written advice to clients as well as assisting in developing legal problem checklists and caller response checklists.
- OPLS' clients have also been ably assisted by pro bono support from Blake Dawson, Freehills and Gilbert & Tobin law firms. Our thanks go out to Amelia Davis, Tamara Sims, Michael Rosenfeld, Te'se Butler, Susan Hunt, Nicola Johnson and Philip Couch.

OPLS and the RVLS have also received pro-bono assistance through the Bar Association for Counsel advice. We thank Counsels Jane Maconachie and Peter Bruckner for their assistance.

Nalika Padmasena extensively revised the Lawyer's Practice Manual chapter on Retirement Villages. Recent amendments to the legislation required a comprehensive rewrite of this chapter and we thank Nalika for her efforts in this project.

OPLS and RVLS produced an "emergency card" for clients to complete and keep in their wallets which proved to be very popular requiring an earlier than planned reprint.

SCOPE OF ADVICES

During the course of the year OPLS and RVLS solicitors provided advice on a wide range of issues including:

- OPLS has seen a significant increase in the number of cases that arise from the financial exploitation of older people.
- Powers of Attorney, Appointment of Guardian, Guardianship Tribunal matters and Advance Care Directives.
- Wills and estate enquiries.
- OPLS continues to receive many calls related to neighbour disputes. The main areas of dispute were with fencing, local councils and trees. Other disputes included one that led to one person seeking an apprehended violence order against their neighbour.
- We also provided referrals in the areas of tenancy and social security issues and traffic infringements and fines.
- Other advices covered such areas as diverse as consumer issues, funeral funds, insurance and privacy.
- RVLS solicitors have been active in CTTT submissions and representation as well as providing phone and written advices on a range of residents' issues.

CASE STUDY

Caller's mother is 93 years old with some dementia. Caller has power of attorney jointly with her sister. The enduring power of attorney was witnessed by a solicitor. Caller's mother had shares with a Mortgage Fund.

Late last year a direct share purchasing consortium wrote to the elderly lady and offered to purchase her shares at 30 cents in the dollar. The market value was \$1 per share. The share offer stated that the total value of the shares was around \$40,000.00. The elderly lady was offered less than \$12,000.00 for the shares.

The caller's Mother signed the form and returned it her Mortgage Fund.

Her mother does not recall signing the form. The caller indicated that her mother had some short term memory loss at this time. Her condition has gotten significantly worse over the past 6 months.

The caller told us that the Mortgage Fund wrote letters warning people not to sign the share offers but her mother did not remember this.

The share offer document she returned accepting the offer was not dated, and there is no date beside her signature.

We advised the caller to speak to a specialist medical professional and get a report as to the extent of her mother's cognitive impairment around late 2010 when she received the offer.

[more over >](#)

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CASES

Some samples of the types of cases undertaken by OPLS and RVLS solicitors during the year are presented on other pages. Names have been deleted and identifying aspects altered to ensure that client confidentiality is protected.

COMMUNITY EDUCATION (CLE)

Quarterlies CLC NSW Elder Law Presentation

OPLS and RVLS did a presentation on elder law at the CLC NSW quarterlies at the Marque Hotel on Harris Street on 17 May 2011.

The presenters from our service were:

- Melissa Chaperlin speaking on Power of Attorney and Guardianship and the Guardianship Tribunal
- Nalika Padmasena on rights of residents in retirement villages
- Tim Tunbridge on rights of older people entering into granny flat arrangements
- Margaret Small provided to the attendees her paper on Advance Care Directives and Funerals and the hidden traps for older people.

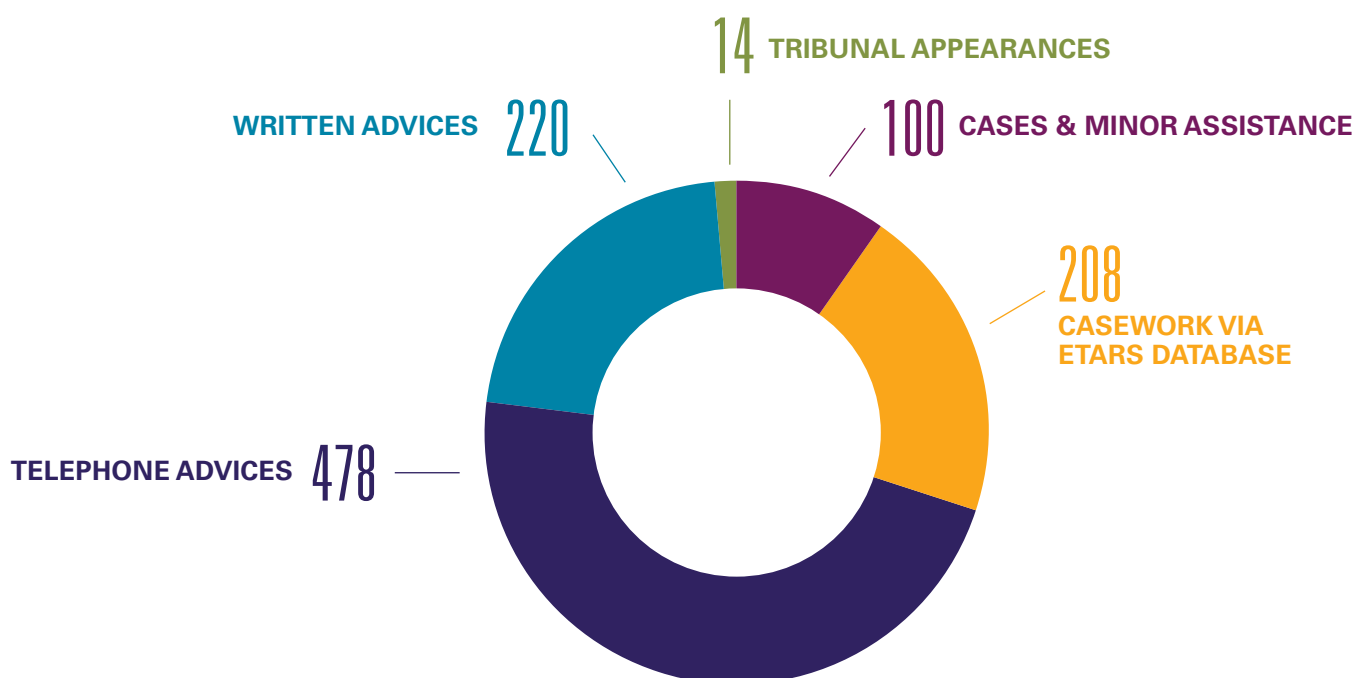
Positive feedback was received from the attendees particularly rural and remote CLC services as to the information provided at the session.

CALD seminar sessions were conducted with an interpreter covering topics on Wills Power of Attorney and Guardianship to the Turkish Welfare Association in Fairfield, Auburn and Merrylands and the Croatian Welfare Association at Edensor Park

CLEs have been conducted at Men's Sheds during the year. Examples include a CLE to Bankstown Men's Group on consumer scams facing older people who were particularly concerned about approaches made to them to purchase products by means of door to door sales and telephone contact and Marrickville Men's Shed.

CLEs have also been conducted at Macquarie Hospital, Concord Hospital

RV STATS 1 JULY 2010 - 30 JUNE 2011



and Sutherland Hospital to carers groups and professional organisations regarding power of attorney and guardianship and financial exploitation.

CLE s were also conducted for seniors at bowling clubs and other community groups and local RSLs.

Mandatory Continuing Professional Development Courses Undertaken

The OPLS and RVLS solicitors undertook more than the mandatory 10 hours of professional development in the past year.

One of the more interesting MCPD sessions attended was the *Law Society Seminar on Capacity Issues*. The solicitors for the OPLS and RVLS attended a Law Society breakfast seminar on capacity issues and older people. The seminar addressed a solicitor's obligations when assessing client capacity and when a solicitor should consider declining to act for a client or seeking a tutor for a client who lacks capacity to give legal instructions.

LAW REFORM

- A Submission was made on "Consultation draft into A National Framework for Advance Care Directives"
- A conference with delegates of and a submission was made to the Productivity Commission Inquiry into Aged Care.

Tom Cowen
Principal Solicitor

She will need to prove that her mother did not know what she was signing at the time due to a disability (cognitive impairment). Any litigation will be based on this report.

The Report should be thorough and ideally prepared by a geriatrician.

The Report will need to assess her mother's capacity at the time of signing.

It may be difficult to obtain this at this late stage.

She also needs to weigh the cost of legal proceedings against the amount her mother has lost in the transfer (a loss of about \$20,000).

The mother has assets. She lives in an RV and has in excess of \$20,000 in her bank account. The caller was advised that her mother may therefore not be eligible for legal aid.

TARS managed to obtain pro bono support for the elderly lady from Sparke-Helmore Solicitors, with very good prospects of a successful outcome.

25th Anniversary

ON THE ROAD



BREWARRINA



**TARS ADVOCATES AT NACAP
CONFERENCE MELBOURNE**



LEGAL EXPO



BATHURST



BALRANDALD



GRIFFITH



ARABIC SUPPORT GROUP SYDNEY





BROKEN HILL



ROSEHILL EXPO



PORT MACQUARIE



TOCUMWAL



SYDNEY



BACK O' BOURKE



GULARGAMBONE



MARDI GRAS FAIR DAY



ROYAL EASTER SHOW

EDUCATION AND PROMOTION SERVICE REPORT

EDUCATION

TARS' Education Service provides Information Sessions presented by the Aged Care Advocates or the Solicitors of Legal Services. Every TARS information session includes a brief description of all TARS' aged care advocacy and legal services. This ensures that people attending any TARS information session are aware of, and are encouraged to access, the wide range of services provided by the organisation.

The outcome of Information Sessions:

Information sessions presented to audiences in aged care homes to residents, their carers and staff often result in the following:

- Clients accessing advocates immediately at the end of the session
- Enhancing the residents and their carers' ability to speak up for themselves and to exercise their rights after the session
- Staff being motivated to further support the rights of care recipients.

Information sessions presented as Community Legal Education (CLE):

- Explore important legal issues such as Wills, Power of Attorney, Guardianship, Advance Care Directives
- Provide the opportunity for one-on-one legal advice from TARS solicitors.

Information sessions presented at Retirement Villages:

- Encourage residents of retirement villages to access the expert advice provided by TARS on legal issues in relation to the Retirement Village Act 1999 NSW.

PROMOTION

This year TARS achieved the following:

- The introduction and distribution of a wallet-sized Emergency Identity Card which is distributed to participants at information sessions. One Director of Nursing was very impressed with the card and said that she would make sure that all her residents who go out independently will have one in their wallets. She said that they would be laminated for protection of the personal information.
- An SBS Foundation grant funded a TV advertisement promoting TARS services to a wide audience, in particular people living in rural and remote regions. Clients called our service who seldom left their home, and had little contact with others, as well as people who do not read print material.
- Advertisements were placed bi-monthly in The Senior Newspaper, a free publication. This publicity continues to be a source of referral for many clients.

- TARS partnered with The Energy and Water Ombudsman NSW (EWON), the NSW Ombudsman, the Financial Ombudsman Service and the Telecommunications Industry Ombudsman to promote our services on Senior's Days at the Royal Easter Show.
- TARS also participated in Expos and Information Days in the city, metropolitan and regional areas. Events included Law Week, NAIDOC Week events, Senior's Week, Carers Week and many others that targeted both mainstream groups as well as Aboriginal & Torres Strait Islander (ATSI), Culturally and Linguistically Diverse (CALD) and Gay, Lesbian, Bisexual & Transgender (GLBT) audiences.

Appreciation has been forthcoming from older people living in the community and aged care and health professionals who have had contact with TARS; through our reception staff, advocates and solicitors, initially in phone conversation or by email to the office, and in-person at events, for their support, knowledge and commitment to meeting the needs of our clients.

A NACAP one off Special Project funded several Education Trips to four regional and remote areas of New South Wales. Advocates visits were welcomed with enthusiasm at aged care homes and sessions for residents and staff were well attended. Advocacy for residents in these areas increased.

Advocates provided 74 information sessions on the trips which ranged from four to six days. Trips were as follows:

Trip 1: Broken Hill, Wentworth, Balranald, Moulamein, Barham, Hay, Griffith;

Trip 2: Dubbo, Gilgandra, Gulargambone, Coonamble, Walgett, Goodooga, Lightning Ridge, Brewarrina, Bourke, Cobar, Warren, Trangie, Narromine, Dubbo;

Trip 3: Griffith, Hillston, Lake Cargelligo, Condobolin, West Wyalong, Temora, Junee, Griffith;

Trip 4: Dubbo, Dunedoo, Coolah, Coonabarabran, Baradine, Wee Waa, Boggabri, Narrabri.

I would like to express appreciation to our advocates and solicitors. Their presentation skills, their knowledge of aged care issues, their dedication and willingness to travel to inform people on the rights of residents and older people deserves recognition.

Rosalene Jones

Manager Education and Promotion Service

INFORMATION SESSION FEEDBACK WRITTEN COMMENTS

The following are a selection of comments from Information Session Feedback Forms.

Comments from older people at community sessions:

- "Excellent both information and presentation."
- "Increased my knowledge about services available to the aged person."
- "I knew about the organisation but it was good to be refreshed about TARS services and assistance."
- "It is good to understand what TARS actually does and that services are so easily available."
- "Very informative session in depth, extremely helpful."
- "The presenter is well informed and easy to follow. It is apparent that the presenter is well informed. Most informative."

CASE STUDY

John is a 76 year old man from an Italian speaking background. He attended TARS office and supplied us with a Police Fact Sheet dated March 2011 and a Discharge Form from Royal Prince Alfred Hospital dated 24 of April 2011.

On a Sunday in March he was assaulted 3 times by a man who lives across the road from John's bus stop in Northbridge. The last assault involved the man following John off the bus and down the street. He called out to John who turned around. He was struck in the head. He fell to the ground and was repeatedly kicked and dragged across the ground. There was a witness to the incident. The police have charged the man with assault and he will appear in court later in the year.

We prepared a letter of advice advising John about: applying for an Apprehended Personal Violence Order with the assistance of the police, attending the hearing, and contacting Victims Services to claim compensation for his injuries. We have offered to assist John with the application for the APVO if the police are not able to do this on his behalf.

25th Anniversary

Comments by a participant at an OPLS CLE Session:

- "I certainly will follow the advice given, as I have realised my affairs are not up to date. This session has really been an eye opener. Thank You TARS."

Comments from a resident of a retirement village:

- "I found out how much more I need to know."

Letter from a Community Organisation following a session:

- "This certificate is a token of our appreciation for your valuable contribution to the Community Partners Program and our information sessions. Your presentation was one of the best we have had so far so once again, thank you!"

Email from a teacher following a session at TAFE for students:

- "I heard one of the students say 'that was the best one (presentation) so far. So you made an impact. Thank you.'"

From a Staff member at an aged care home:

- "Very informative—given a good understanding of services available for our residents and their families."

EDUCATION & PROMOTION SERVICE STATS

The Education Service Provided 553 Information/CLE Session in 12 months.

135

SESSION: AGED CARE HOMES & COMMONWEALTH FUNDED IN HOME SERVICES
PRESENTER: ADVOCATE
AUDIENCE: RESIDENTS, FAMILY/FRIENDS

147

SESSION: AGED CARE HOMES & COMMONWEALTH FUNDED IN HOME SERVICES
PRESENTER: ADVOCATE
AUDIENCE: STAFF

17

SESSION: RETIREMENT VILLAGE RESIDENTS
PRESENTER: SOLICITOR
AUDIENCE: RESIDENTS

15

SESSION: RETIREMENT VILLAGE RESIDENTS
PRESENTER: ADVOCATE
AUDIENCE: RESIDENTS

191

SESSION: COMMUNITY & PROFESSIONAL GROUPS
PRESENTER: ADVOCATE
AUDIENCE: CARER GROUPS, COMMUNITY SENIORS, ACAT, PROFESSIONALS & STUDENTS

42

SESSION: COMMUNITY LEGAL EDUCATION (CLE), COMMUNITY & PROFESSIONAL GROUPS
PRESENTER: SOLICITOR
AUDIENCE: CARER GROUPS, COMMUNITY SENIORS, ACAT, PROFESSIONALS & STUDENTS

6

SESSION: COMMUNITY LEGAL EDUCATION (CLE), COMMUNITY & PROFESSIONAL GROUPS
PRESENTER: ADVOCATE
AUDIENCE: CARER GROUPS, COMMUNITY SENIORS, ACAT, PROFESSIONALS & STUDENTS

Tom Cowen
Principal Solicitor
The Aged-care Rights Service
Level 4, 418a Elizabeth Street
Surry Hills NSW 2010

Dear Tom,

My father and I would like to extend our appreciation for the professional assistance rendered by your organisation in our successful challenge to a ruling by the Dept of Health & Ageing.

Without this assistance we would not have known where to begin or how to untangle the complicated process of appealing an incorrect decision.

I understand that you were personally involved with this case and made a significant contribution towards the outcome. Our sincere thanks for your crucial input.

I would also like to thank Tim Tunbridge for his persistence and professionalism with this matter. He was always helpful, efficient and his presence at the AAT was influential and greatly appreciated.

Special thanks also to Margaret Crothers who was our first point of contact with TARS. Margaret spent a lot of time on the phone listening to the issues and talking to me about possible ways forward and was very supportive, genuinely interested in our case and instrumental in giving us the confidence to persist.

Without doubt we could not have had a successful outcome without the backing of the TARS team. Thank you so much.

Regards,
TARS Client

CASE STUDY

Mr B aged 89, was assessed by the Department of Veterans Affairs in March 2007 as eligible to be a concessional resident under the Aged Care Act 1997. As a concessional resident in a nursing home Mr B was not required to pay an accommodation bond or an accommodation charge.

In May 2007 Mr B entered nursing home care. In December 2010 Mr B was transferred to another nursing home with no break in residential care. Mr B's status was re-assessed upon transfer to the new nursing home. He disclosed assets valued at about \$49,900. The Delegate of the Department of Health and Ageing determined that he was no longer eligible to be a concessional resident and is now liable to pay an accommodation bond or charge. The Delegate's decision was affirmed by an internal review determination on 10 March 2011.

Mr B has appealed the determination to the Administrative Appeals Tribunal (AAT). The appeal was listed for a conference before the AAT in late 2011. OPLS has assisted Mr B in his appeal by drafting detailed submissions addressing the errors of law contained in the Department's Statement of Reasons for Determination. The Department was represented at the AAT by an experienced advocate, OPLS had also agreed to further assist Mr B by representing him up to and including the conference. Tim Tunbridge represented Mr B at the Hearing and was able to convince the Department's delegate of the correctness of the submissions and Mr B's status was restored with restitution including back payments.

25th Anniversary

FRONT OF HOUSE AND GENERAL ADMINISTRATION REPORT

The Aged-care Rights Service (TARS) General Administration and Front of House roles are shared by a full-time receptionist/administration assistant, Charmian Powell and part-time administration assistant, Bernadette English.

All incoming calls to TARS are administered through our central switch with calls averaging between 70 and 80 per day. Many of these calls involve quite complex matters which need to be assessed by Charmian and Bernadette to ascertain which area of TARS the calls should be forwarded to. In some cases our callers require advice from more than one of these services.

Many general enquiries and requests for publications and information sessions are also received via TARS' website, direct email address or information session feedback forms and these are also administered by Bernadette and Charmian as part of their office administration duties.

In addition to preparing and administering TARS' annual budget, bank accounts, payroll, personnel and general accounting responsibilities, TARS' Finance Officer, Stella She, oversees the organisation's finances and assists in the financial reporting to our key funding bodies. This role is central to the day-to-day operations of the organisation.

"From my initial phone call to my meeting with TARS staff, I found your services very professional. I could not have achieved the goal that I set out to achieve without your invaluable knowledge and support. Thank you."

"A very valuable service to the community. I will recommend to others. Please keep doing what you do."

"Thank you for helping me. I sincerely value your service."





FINANCIAL STATEMENTS

YEAR ENDED 30 JUNE 2011 (INCL. REPORTS TO FUNDING BODIES)
ABN 98 052 960 862

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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 1 to 11:

- 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, 2011 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

SUE FIELD

Committee Member

Sydney

19th October, 2011

AUDITOR'S REPORT

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS FOR THE YEAR ENDED 30 JUNE 2011

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 2011 as set out on pages 1 to 11.

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 19 October 2011, 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 2011.

(a)

i) giving a true and fair view of the organisation's financial position as at 30 June 2011 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

CASSIM CALLIGEROS SIMOS

Chartered Accountants

EMANUEL P CALLIGEROS

Partner

Date: 19th day of October, 2011
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 2011, 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.

CASSIM CALLIGEROS SIMOS

Chartered Accountants

EMANUEL P CALLIGEROS

Partner

Sydney

19th October, 2011

INCOME STATEMENT

	Note	2011 \$	2010 \$
<u>ORDINARY ACTIVITIES</u>			
Revenue from Ordinary Activities		1,414,036	1,298,927
Transfer (to)/from Grants Unexpended (Net)		-	-
	6	1,414,036	1,298,927
Employee Benefit Expenses		(892,000)	(832,066)
Depreciation & Minor Asset Acquisitions		(6,856)	(14,811)
Other Expenditure from Ordinary Activities		(499,853)	(465,891)
Net Surplus (Deficit) from Ordinary Activities		15,327	(13,841)
<u>Add/(Less):</u>			
Proceeds on Sale of Vehicles		28,000	-
			-
Transfer (to)/from Reserve for Replacement Assets	3	(28,000)	-
Transfer (to)/from Provision - Contingent Liabilities		-	-
		15,327	(13,841)
<u>Add:</u>			
RETAINED EARNINGS – Balance 1 July, 2010		228,496	242,337
RETAINED EARNINGS – Balance 30 June, 2011		228,496	228,496

This Income Statement is to be read in conjunction with the Notes to the Financial Statements as set out on pages 23 to 25.

BALANCE SHEET

	Note	2011 \$	2010 \$
<u>FUNDS & PROVISIONS</u>			
Retained Earnings		243,823	228,496
Provision for Contingencies		-	-
<u>TOTAL FUNDS & PROVISIONS</u>		243,823	228,496
Represented by:			
<u>CURRENT ASSETS</u>			
Cash at Bank & on Deposit		482,784	411,937
Sundry Debtors & Prepayments		350	150
<u>Total Current Assets</u>		483,134	412,087
<u>NON-CURRENT ASSETS</u>			
Furniture & Equipment - at Cost		169,208	171,647
Less Amounts Expensed & Provision for Depreciation		(116,310)	(163,222)
Leasehold Improvements		7,227	7,227
<u>Total Non-Current Assets</u>		60,125	15,652
<u>TOTAL ASSETS</u>		543,259	427,739
Less:			
<u>CURRENT LIABILITIES</u>			
Payables		132,961	83,887
Provision for Staff Entitlements	5	138,475	115,356
Reserve for Replacement Assets	8	28,000	-
Grants in Advance & Unexpended	9	-	-
<u>Net Current Liabilities</u>		299,436	199,243
<u>NET ASSETS</u>		243,823	228,496

This Balance Sheet is to be read in conjunction with the Notes to the Financial Statements as set out on pages 23 to 25.

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 (CONT'D)

3) RESERVE FOR REPLACEMENT ASSETS	2011 \$	2010 \$
Balance – 1 July, 2010	0	0
Add Transfer from Net trading	28,000	-
	-	-
Balance – 30 June, 2011	28,000	0

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	14,184	6,315
Provision for Long Service Leave	60,029	54,091
Provision for Redundancy/Staff Payout	64,262	54,950
	138,475	115,356

6) OPERATING RESULTS

The excess of Income over expenditure for the year is arrived at:

- after charging:

i) Auditor's Remuneration (Refer to Note 7)	10,350	-
ii) Minor Fixed Assets acquired during the year expensed through the Income Statement	24,467	6,315
iii) Long Service, Annual & Sick Leave Provisions	25,850	21,758
iv) Depreciation of Non-Current Assets	6,857	14,811

- after crediting:

v) Grants Received	1,376,774	1,273,315
vi) Interest Received	35,398	24,087
vii) Other Income	1,864	1,525
Gross Revenue	1,414,036	1,298,927

NOTES TO THE FINANCIAL STATEMENTS (CONT'D)

7) AUDITOR'S REMUNERATION

2011
\$

2010
\$

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

Report	8,350	8,420
Other Services	2,000	2,000

The Auditor received no other benefits from the Organisation.

8) RESERVE FOR REPLACEMENT ASSETS

	28,000	-
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9) GRANTS IN ADVANCE AND UNEXPENDED

Office of Fair Trading		
-2010 Grant unexpended – Expended in 2011	-	-
- 2011 Grant unexpended – Carried forward	-	-
Net Movement for the Year	-	-

STATEMENT OF CASH FLOWS

	2011 \$	2010 \$
<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>		
Cash Received from Government Grants, etc	1,378,638	1,274,840
Cash payments for Operating Activities	(1,323,724)	(1,239,066)
Net Cash Inflow from Operating Activities (Note 2)	54,914	35,774
<u>CASH FLOWS FROM INVESTMENT ACTIVITIES</u>		
Interest Received	35,398	24,087
Proceeds on Sale of Vehicles	28,000	-
Payments for Plant & Leasehold Improvements	(47,465)	(1,887)
Net Cash Inflow from Investment Activities	15,933	22,200
<u>INCREASE (DECREASE) IN CASH HELD</u>	70,847	57,974
<u>Cash Balance at Beginning of Year</u> (Note 1)	411,937	353,963
<u>CASH BALANCE AT END OF YEAR</u> (Note 1)	482,784	411,937
<u>Note 1: Reconciliation of Cash</u>	<u>Cash at End of Year</u>	<u>Cash at End of Year</u>
Cash at Bank & on Short-Term Deposit	482,384	411,537
Cash in Hand	400	400
	482,784	411,937
<u>Note 2: Reconciliation of Net Cash Inflow from Operating Activities to Operating Surplus (Deficit)</u>		
Operating Surplus (Deficit) for the Year	15,327	(13,842)
<u>Add/(Less):</u>		
Depreciation	6,857	14,811
(Increase)/Decrease in Other Current Assets	(200)	16,354
(Increase)/Decrease in Fixed Assets	(51,330)	(1,887)
Increase/(Decrease) in Payables	49,074	15,091
Increase/(Decrease) in Provisions	23,119	27,447
(Increase) in Investment Activity	(15,933)	(22,200)
Increase/(Decrease) in Reserves	28,000	-
Net Cash Inflow from Operating Activities	54,914	35,774

DETAILED INCOME & EXPENDITURE STATEMENT

	2011 \$	2010 \$
INCOME		
Grants Received - Recurrent	1,362,009	1,362,009
- One-off funding (DoHA)	14,765	-
Interest Received	35,398	24,087
Sundry Income	1,864	1,525
Gross Income	1,414,036	1,298,927
Less EXPENDITURE	482,784	411,937
Accounting & Audit Fees	10,350	10,420
Advertising	41,880	48,895
Bank Charges	1,056	993
Conferences, Expos, Seminars & Workshop Expenses	21,006	22,881
Depreciation & Scrapped Assets	6,857	14,811
Insurances	5,543	5,579
Legal & Consultants Fees	1,732	-
Long Service, Annual & Sick Leave Provisions	25,850	21,759
Motor Vehicle Costs	7,382	10,467
Office Equipment Acquisitions	24,467	-
Office Expenses & Amenities	24,062	24,608
Postage, Printing, Stationery & Publication Costs	27,327	35,530
Project Costs - One-off funding (DoHA)	12,158	-
Reference Literature & Software, etc	8,622	7,540
Rent & Outgoings	130,155	124,598
Repairs & Maintenance	29,683	21,334
Salaries - Permanent & Relief Staff (including Workers Compensation Insurance)	883,330	823,792
Solicitors' Expenses	4,765	2,380
Subscriptions	6,374	6,936
Superannuation	74,915	71,169
Telephone	18,798	16,892
Travel & Accommodation	16,705	25,619
Utilities (including Cleaning)	13,003	10,444
Website Expense	2,689	6,122
Total Expenditure	1,398,709	1,312,769
Add: Proceeds on Sale of Vehicles	28,000	-
Add/(Less):		
Transfer to Reserve for Replacement Assets	(28,000)	-
OPERATING SURPLUS (DEFICIT) for the Year	15,327	(13,842)

WE STILL HAVE RIGHTS



THE ACCOMMODATION RIGHTS SERVICE INC

FREE ADVICE AND ASSISTANCE ON YOUR RIGHTS IN HOSTELS,
RETIREMENT VILLAGES, NURSING HOMES AND BOARDING HOUSES

5th Floor, 64 Kippax St, Surry Hills, NSW 2010

TEL: (02) 281 3600 (008) 424 079





TARS - The Aged-care Rights Service Inc.

Level 4, 418A Elizabeth Street

Surry Hills NSW 2010

Phone: (02) 9281 3600

Country callers: 1800 424 079

Fax: (02) 9281 3672