Mr Judy Clisby
Acting Health and Community Services Complaints Commissioner
GPO Box 4409
Darwin NT 0801
Email: hcscc@nt.gov.au

Dear Ms Clisby

I am writing further to my correspondence of 7 March 2016 and our discussion at the recent Health Complaints Entities' meeting, confirming that we have agreed to undertake an exchange of letters to formalise our information sharing arrangements. In line with this, I have outlined below my jurisdiction for handling complaints, the process for referring information between our organisations, and other mechanisms for maintaining an ongoing relationship between us.

I hope that the exchange of these letters will encourage information sharing between our staff and ensure that the most appropriate organisation is dealing with an issue. This in turn will ensure that aged care service users are well cared for and protected and may also lead to improved complaints handling for both organisations.

Jurisdiction

As the Aged Care Complaints Commissioner (Complaints Commissioner), my office has responsibility for handling complaints about Australian Government funded aged care services. Australian Government funded programmes that are within my office’s jurisdiction include:

- residential aged care services, including permanent care and respite care;
- Home Care Packages delivered on a Consumer Directed Care basis;
- flexible care where a person is receiving ‘residential care’ or ‘home care’: this includes services provided through transition care, innovative care or multi-purpose services (MPS);
- Commonwealth Home Support Programme (CHSP); and
- National Aboriginal and Torres Strait Islander Flexible Aged Care Programme (NATSIFACP).

We can resolve complaints only where these relate to an approved provider’s responsibilities under the Aged Care Act 1997 (the Act) or a service provider’s responsibilities under the Department of Health Standard Funding Agreement (or Department of Social Services Standard Comprehensive Grant Agreement). This does not include handling complaints about individual registered health practitioners or care workers.

I may decide to take no further action on a complaint where the issue(s):
- was not raised in good faith;
- is, or has been, the subject of a legal proceeding;
- is or has already been dealt with by the Complaints Commissioner or the Aged Care Complaints Scheme;
- relates to an event that occurred more than 1 year ago and is not ongoing;
- is subject to a coronial inquiry; or

Disclaimer: Under the Aged Care Act 1997, the Aged Care Complaints Commissioner can use any information it receives to help perform its regulatory functions. The Aged Care Complaints Commissioner has procedures in place to ensure that personal information is protected against misuse and is not unlawfully disclosed.
I welcome any other thoughts that you may have regarding the relationship between our two organisations. I look forward to your response.

Yours sincerely,

[Signature]

Ree Lamb
Aged Care Complaints Commissioner

4 April 2016