



Royal Commission
into Aged Care Quality and Safety

**STATEMENT OF DIANNE PATRICIA MNICH
IN RESPONSE TO NTG-0489**

Name: Dianne Patricia Mnich

Date of birth: [REDACTED]

Address: [REDACTED]

Occupation: Retired

Date: 4 October 2019

1. This statement made by me accurately sets out the evidence that I am prepared to give to the Royal Commission into Aged Care Quality and Safety. This statement is true and correct to the best of my knowledge and belief.
2. Where direct speech is referred to in this statement, it is provided in words or words to the effect of those, which to the best of my recollection, were used at the time.
3. The views I express in this statement are my own based on my education, training and experience.

Professional background

4. I am currently retired and in the course of travelling around Australia with my husband.
5. Prior to my retirement, I worked for Japara Healthcare Limited as the Facility Manager of the Bayview Aged Care Facility, from 2 July 2012 to 5 February 2017.
6. I worked in aged care for 31 years.
7. I am a registered nurse and registered midwife.

Question 4: Provide a description of your role and responsibilities as the Japara Bayview Home Manager for the approved provider Japara Aged Care Services Pty Ltd owned by Japara Healthcare Limited (formerly Aged Care Services Australia Group Pty Ltd) (Japara).

8. My role and responsibilities as Facility Manager of Japara Bayview were set out in the Position Description: JAH.0030.0001.0118 (DM-1)

Question 5: Describe your involvement in the investigation or consideration of any allegations made against [REDACTED] (employee) in the period 2015 and 2016.

9. I am unable to recall the specific details of my involvement in responding to allegations made against the employee in 2015 and 2016. However, my general practice, upon

Signature		Witness	
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becoming aware of allegations made against an employee, I was responsible for the following:

- a. notifying the Executive Director of Aged Care Services as well as a member of Japara's Human Resources team (at the time I dealt mostly with Nicole Farrell);
- b. if a decision was made by the Executive Director of Aged Care Services to suspend the employee, speaking with the employee to tell them that they are suspended;
- c. informing the Department and the police if required;
- d. liaising with medical staff in relation to the allegations;
- e. speaking with the resident, the resident's next of kin and any staff who were on duty at the time of the allegations, and liaising with the Human Resources team in relation to those discussions;
- f. forwarding all information gathered to the Human Resources team;
- g. signing and sending to the employee a letter prepared by the Human Resources team;
- h. signing and sending to the employee a letter prepared by the Human Resources team setting out the allegations made against the employee, and advising of a scheduled time to meet to discuss the allegations and hear from the employee;
- i. attending, along with a Human Resources representative, the scheduled meeting with the employee concerning the allegations;
- j. meeting with the employee to advise the employee verbally of the outcome of the process, including any written warning or other disciplinary action and any training or other steps required to be taken by the employee in response;
- k. signing and sending to the employee a letter to advise the employee in writing of the outcome of the process, including any written warning or other disciplinary action and any training or other steps required to be taken by the employee in response; and
- l. ensuring the employee's compliance with any such requirements.

Question 6: Were any of the allegations against the employee proven to Japara's satisfaction?

- a. If so, which allegations were substantiated and which were not?
- b. Was a pattern identified?

10. As I state above, I am unable to recall the specifics of the allegations made against the employee in 2015 and 2016. I have been shown the following letters which were prepared by the Human Resources team recording that Japara was satisfied that the allegations against the employee set out in each letter had been substantiated. Even though I have read the letters, it has not helped me better remember the events they refer to:

Signature Dianne Patricia Mnich Witness Alison

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- a. letter signed by me to the employee dated 4 June 2015: JAH.0126.001.0432 (DM-2);
 - b. letter signed by me to the employee dated 5 February 2016: JAH.0126.001.0421 (DM-3);
 - c. letter signed by Angela Manganas to the employee dated 3 March 2016 and copied to me: JAH.0126.001.0409 (DM-4).
11. As I do not remember the events set out in the above letters, I do not recall whether a pattern was identified.

Question 7: Describe Japara's usual practice when issuing a written warning to an employee about misconduct, including whether the warning would usually include a summary of the misconduct leading to that warning being issued?

12. I refer to my response to question 5 above. In my experience, Japara's usual practice when issuing a written warning to an employee followed the process I describe in paragraph 9 above.
13. In my experience, the written warning would usually include a summary of the misconduct leading to the warning being issued, as in the case of the letters concerning the employee referred to in paragraph 10 above in response to question 6.

Question 8: If the answer to question 8 is yes, explain what steps you and/or Japara took to ensure resident care and safety in response to substantiated misconduct by the employee. Explain why those steps were considered appropriate. Explain what steps were considered by Japara Bayview but did not proceed, and why.

14. As is recorded in the letters referred to above in response to question 8, the employee was required to complete certain training and education in response to the allegations the subject of Japara's written warnings issued to him. In addition, it was my usual practice to instruct employees not to attend to those residents who had made allegations against them.
15. I do not recall why the above steps were considered appropriate. Likewise, I do not recall what other steps were considered by Japara Bayview but did not proceed, nor why.

Signed: _____

Date: _____

Witness: _____

Date: _____

Signature

Witness
