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# THE DAILY COMMISSION

The Latest on the Royal Commission into Aged Care



**Today, Commissioner Richard Tracey promises the Commission will address staffing in aged care as the issue dominates the Royal Commission’s seventh community forum in its home base of Adelaide.**

**The shadow of Oakden also loomed large over what was the biggest forum so far – and the Commissioner’s first ‘solo gig’.**

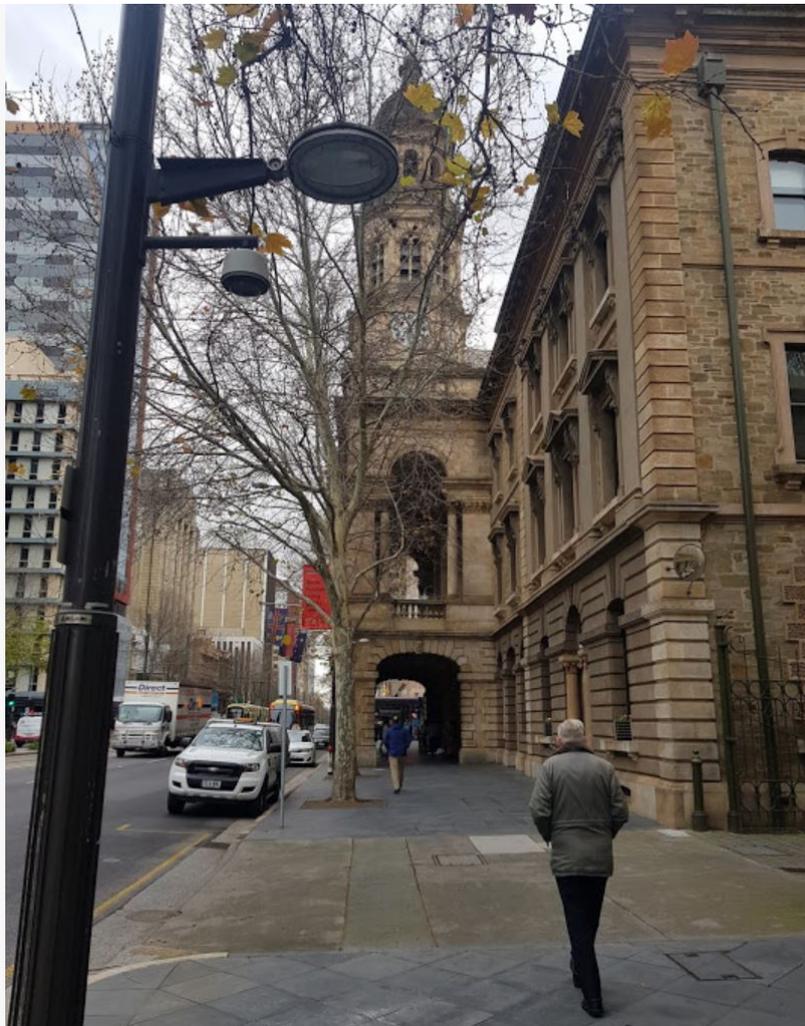
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## **Commissioner Tracey promises action on aged care staffing to loud applause at Royal Commission's largest community forum in Adelaide – Commissioners on track to meet interim report deadline?**

**Commissioner Richard Tracey has received a huge round of applause after pledging better qualifications, training, pay and career paths for staff will form part of the Commission's recommendations 12 weeks out from the Commission's interim report.**

**The Commissioner was speaking as part of his first time hosting a community forum on his own – which was the largest so far,**

**attracting nearly 400 people to Adelaide's Town Hall – and he rose to the task, revealing that formal hearings for the Commission will return to Adelaide in 2020 and that the Commissioners seem to be on track for the 31 October interim report deadline.**

### **The shape of the Adelaide forum**

Held on a cold, grey day, the day started promptly at 1:30pm and ran until a little past 4pm with a 15-minute tea break. Located in the Adelaide Town Hall's majestic Auditorium which can seat over 1,000 people, interest was obviously high with registrations capped out at 400 attendees. The audience was dominated by a mature crowd, women and men in their 50s, 60s, 70s and beyond, though there were a number of younger faces.

While the media presence was low – only The Advertiser was spotted – the unions and advocates were in full force. Outside, a small contingent of members of aged care union United Voice staged a demonstration to seek support for their Five Point [‘Our Turn to Care’ plan](#) (pictured below).

**Inside, Barbara Spriggs – the wife of Bob Spriggs who blew the whistle on the Oakden Older Persons Mental Health Service and who spoke on the first day of hearings in Adelaide in February 2019 – and her son Clive were both present.**



## Commissioner Tracey flags 2020 hearings in Adelaide

The afternoon began with a welcome from Commissioner Tracey – and it was clear that he and Commissioner Lynelle Briggs have been sharing notes.

Many of his opening words were similar to Commissioner Briggs' 'trademark' welcome.

**However, he did differ on a few points – noting that Adelaide is the home of Oakden and the revelations around abuse and neglect there in 2017 were key to the establishment of the Royal Commission, the Commissioner announced that formal hearings will return to Adelaide “at a later date”.**

**The Commissioner also declared that he and Commissioner Lynelle Briggs will be**

**reporting on their progress in the upcoming interim report due 31 October 2019 – suggesting the Commissioners are on track to meet this deadline – just under 12 weeks away.**

The Commissioner added that he will be visiting services in Adelaide and regional SA in the coming days as the Commission continues its schedule of site visits.

It was then onto the 14 women and six men scheduled to speak.

### **The shadow of Oakden still strong**

Most were family members, but there were several former and current aged care workers. A few struggled to speak through tears and the stories that unfolded were strikingly similar to those that have come before, but with a South Australian twist.

In particular, the shadow of Oakden loomed large over the forum. Several speakers talked about the experience of their family members at the now-closed facility.

**Stewart Johnson, who has been a vocal advocate on aged care abuse since blowing the whistle on his mother's care at Oakden and gave permission to be identified, was the most high-profile speaker to appear who had a relative at Oakden.**

Mr Johnson called for the Royal Commission to begin writing the sequel to the nation's most shameful book of history, saying that staff ratios are not a 'silver bullet' for the issues in aged care acknowledging that Oakden had ratios.

Instead, he wants a safeguarding system that will protect residents with staff offered incentives to complete training and build a career in aged care and for providers to be funded under a wellness and reablement model.

Mr Johnson also flagged that the system needs independent advocates – and he is setting up an independent advocacy workforce to protect residents.

### **Authorities refused to listen to complaints about Oakden**

Mr Johnson was not the only one with a tale from the now-infamous facility.

One woman told how her father had been admitted to Oakden in 2013 after a rapid decline with dementia but suffered at the hands of incompetent staff and mismanagement including the use of restraints, over medication, wrong medication and being locked outside in the cold.

In one incident, her 76-year-old mother was forced to intervene as her father was dragged across the dining room and thrown into a couch by an agency nurse for picking up another person's meal.

**She added this was despite the family visiting for 17 out of the 24 hours in the day – complaints to management, the Aged Care Complaints Commissioner (ACCC), police and the Australian Health Practitioner Regulation Agency (AHPRA) all went unheard, she said.**

Another woman said she was left feeling psychologically raped after pursuing the deregistration of the male nurse who assaulted her husband at Oakden for two years with AHPRA.

All called for better facilities for people with more severe forms of dementia, with one speaker noting her husband who had vascular dementia spent the last eight months of his life in an isolated room in hospital because there was no facility available to deal with his aggressive behaviours.



## **SACAT under fire over guardianship challenges**

**[The South Australian Civil and Administrative Tribunal \(SACAT\)](#) – and workers untrained in dementia – also came in for targeted criticism from a number of**

## **speakers who had lost guardianship of their family member.**

One man, who studied neurophysiology and endocrinology, recalled how complaints to his mother's facility about her medication making her dizzy and leading to falls led the facility to successfully apply to SACAT to have him removed as his mother's guardian – her decisions are now made by the Public Guardian.

One woman who had worked in disability for 40 years explained how her father has been diagnosed with frontotemporal dementia and been placed into residential care after a Level 4 Home Care Package (HCP) was only approved 11 months after he entered care.

After her father told a social worker – who had no training in dementia – that he wanted to go home, the social worker made an application to SACAT to move him despite the family holding a valid power of attorney. After much distress to the family, SACAT found in their favour.

## **Family have not seen husband for years after guardianship lost**

**Others were not so lucky. Another woman told how her husband, diagnosed with early onset dementia aged 53 in 2013 and admitted to residential care in 2014, had held enduring guardianship for him but ran into trouble with his facility when he started going for walks without notifying anyone.**

Despite expressing these concerns to management, one day her husband went missing for some time. Blocked by staff from speaking to home when he did return, the

woman made a complaint to the Aged Care Complaints Commissioner (ACCC) which told her that the manager would report her to SACAT as being no longer fit to be her husband's guardian.

After several more incidents – including emails from the facility's lifestyle coordinator saying her husband didn't want to see her and the manager organising a re-assessment of her husband's dementia without her consent (he received the same diagnosis) – the provider's CEO threatened to call police if she visited her husband and she was taken to SACAT where she lost guardianship.

**The family has now had no contact with the husband and only knows that he has been moved to new housing – her message: families need to be listened to by care facilities, not ostracised.**

**Better training for carers – and more communication needed**

**Staffing – as ever – was the hot topic with a lack of staffing; a lack of skilled nurses; a lack of training; and a lack of caring by staff all raised by the speakers.**

Many pointed to the need to improve training and education for workers – including continued training. One lifestyle assistant with over 35 years of experience in aged care recommended a professional register for aged care workers with continued training in areas such as rights and choice of residents, dementia, nutrition, continence, mental health, LBGTI, Aboriginal groups, and multicultural Australia plus incentives for providers who provide this training to staff.

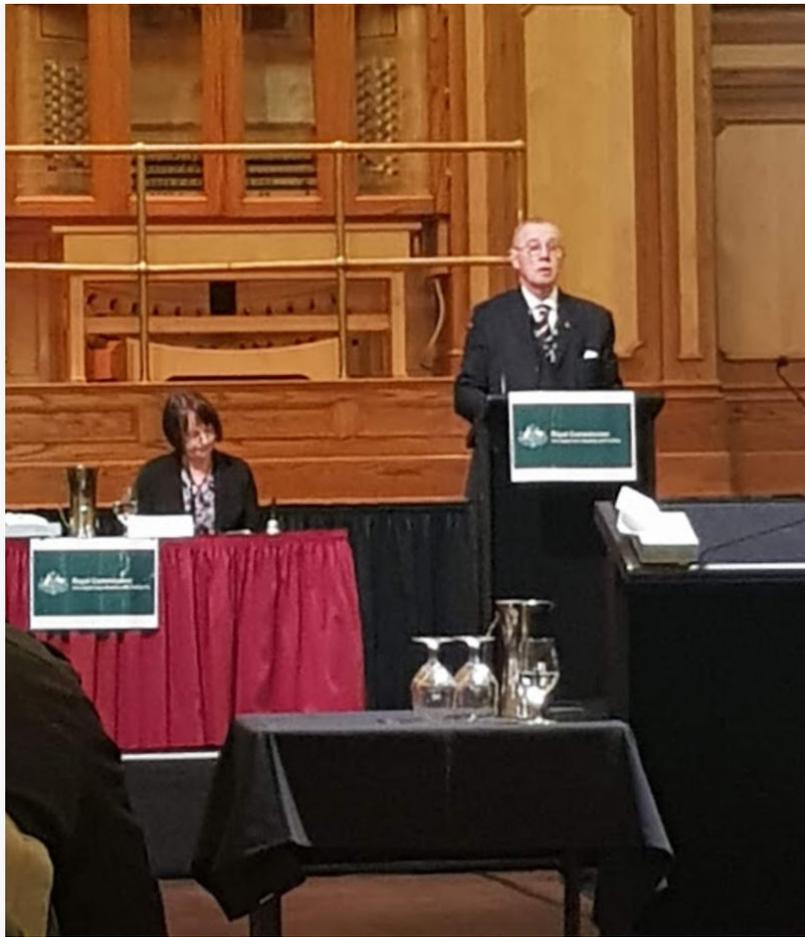
Another Enrolled Nurse of 30-plus years pushed for mandated staffing levels and a mandated staff mix.

**Communication was also identified as an underlying theme with the majority of the speakers cited poor communication between providers and families as an issue.**

In one of the saddest stories, one woman told how she had been praying over her mother's body after she passed away when staff came in with boxes and asked her to begin packing up her mother's belongings.

Another speaker said he and his wife have ongoing issues with the lack of communication with staff at his 95-year-old mother-in-law's facility with staff failing to report or treat a series of skin issues and less-than-satisfactory explanations from management that left the couple feeling like the provider is only concerned about ticking boxes, not addressing their concerns.

He wants better training for the workforce, saying providers need to work with educators to develop more comprehensive training programs rather than just pumping out carers.



## Financial matters a key issue

**The profit-driven nature of the sector – including the fact that providers assess residents' level of care needs – was another recurring theme.**

One man, an accredited aged care financial adviser himself, pointed to the overly complicated fee structure and labelled the system in which the Aged Care Funding Instrument (ACFI) is largely self-assessed by the facility as disturbing.

One woman told how her husband scraped into the lowest category to pay a Refundable Accommodation Deposit (RAD) despite both being on the Age Pension and having minimal superannuation and savings.

She opted to pay a part RAD/part Daily Accommodation (DAP) payment – 70% of their

joint income now goes towards his care, leaving her with less than the NewStart Allowance.

Another woman who had placed both her father and aunt in residential care called for funding in home care to follow residents into residential care and for providers to not be able to assess clients where they have a vested interest in them being high-care.

**A male speaker also raised concerns that the quality assessors who conduct accreditation audits and review audits are protecting certain providers, referring to Commissioner Tracey's question at the Adelaide hearings earlier this year about whether many of the assessors have a conflict of interest from working concurrently in the sector.**

There were some good ideas dotted among the bad however. One woman, a trained general and psychiatric nurse, said she had spent the last 15 years working in the UK and believed that their [safeguarding system](#) – designed to protect those vulnerable to harm and exploitation – could be applied here.

Noting that issues such as inappropriate hospital transfers at night, inappropriate handling or unexplained bruising all allow someone to raise a safeguarding alert, she argued that the system assists the elderly to be recognised as a person with rights and gives power to staff – with any allegations going into a national register or leading to criminal proceedings if deemed serious enough.

**Commissioner Tracey says aged care workers need empathy**

Commissioner Tracey – again borrowing from Commissioner Briggs’ notebook – acknowledged the “neglectful and harrowing examples” of aged care and “recognised the distress caused”.

***“Your insights, experience and advice about the future of aged care have been valuable for me to hear,” he said.***

***“One things that has come through loud and clear is that there is a need for more qualified staff in these institutions; that those staff should be better paid, that carers should be better trained – and by that I meant that the Certificate III qualification which does not have any particular concentration on caring for dementia sufferers need to be expanded; and there needs to be a career path from the bottom of the pile from AIN to EN and RN.”***

***“This should be facilitated through the system and are matters that the Commission is currently looking at and will be the subject of recommendations in due course.”***

**Diverging from the ‘script’, the Commissioner also noted what many of the speakers had: the need for carers to have empathy with the residents they are supporting.**

***“That is so important,” he stated.***

***“It’s not good having people highly qualified if they don’t have any empathy for people they are looking after ... and they should not be employed regardless,”***

– *to a loud round of applause from the audience.*

Will it be a case of ‘give the people what they want’ then?

**The next community forum will be in Brisbane next Monday, 19 August 2019 followed by another forum the following day, Tuesday, 20 August 2019, in Rockhampton. I will be attending both to report.**

Respond to the article

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