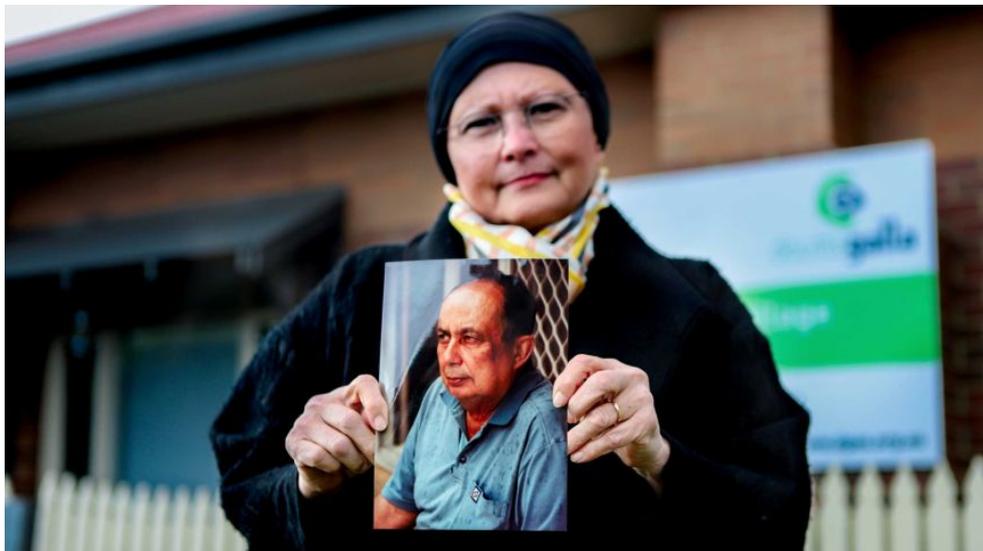


## Grieving families angry at Aged Care Quality and Safety Commission over perceived inaction during coronavirus pandemic

7:30 / By [Anne Connolly](#), ABC Investigations

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Sandra Morris outside Doutta Galla Yarraville, where her father Wilhelm died from COVID-19. (ABC News: *Jeremy Story Carter*)

For Sandra Morris, the death of her father from coronavirus is not the worst of it. It was the days before he died that haunt her.

"It came through on his messages to me. He was distraught. He was frightened," Ms Morris said.

"I think he had a horrific time there in that last week or so at that facility."

Her father, Wilhelm Gunawardana, was living at Doutta Galla Yarraville — one of the 220 nursing homes around the country that has had a coronavirus outbreak.

Of these nursing homes there are still 62 facilities with active outbreaks, while more than 100 homes have recorded a single case.

After a staff member tested positive at the facility in Melbourne's inner-west, 92-year-old Wilhelm would ring his daughter on his mobile, telling her he was hungry because carers left meals on trays out of his reach.

He told her that he would wait for hours after he pressed the call bell to go to the toilet or when he fell out of his wheelchair.

### Key points:

- More than 4,000 aged care residents and staff have been infected with coronavirus, leading to 657 deaths
- The aged care regulator has visited just 13 per cent of nursing homes with outbreaks
- Fewer than 10 per cent of homes with outbreaks have been sanctioned by the regulator since the beginning of the pandemic



Sandra Morris said she struggled to get updates on her father's health. (ABC News: Jeremy Story Carter)

"He would ring me and say, 'get me out of here, things are really bad, you can't understand how bad it is,'" Ms Morris told 7.30.

Doutta Galla declined an interview but said in a statement: "While we cannot confirm or deny when or if these [incidents] occurred, if it was the case ... this is unacceptable."

The not-for-profit facility apologised to residents and families, saying "Yarraville Village was under extreme pressure, and we did experience workforce challenges for a short period".



Visits to Mr Gunawardana during the home's coronavirus lockdown were conducted remotely. (Supplied)

The Federal Government sent an emergency medical team into the Yarraville nursing home in early August. By September, 41 of the 47 elderly residents at the facility were infected with coronavirus.

Seventeen people died, including Wilhelm Gunawardana.

"What dad went through, no-one else should go through now, because they know what happened," Ms Morris said.

"They [the authorities] have the opportunity to make sure that sort of stuff never goes on again."



Mr Gunawardana is one of 17 people who died at his home. (ABC News: Jeremy Story Carter)

What makes her angry is that the federal regulator, the Aged Care Quality and Safety Commission, hasn't been to the Yarraville home since the outbreak.

"It's hard to imagine that a government body like that is just allowing dad's aged care facility to just go on operating without any implementation that they improve their standards," she said.

"I'm flabbergasted that that's happening."

The commission, which assesses nursing homes on 44 standards once every three years, hadn't visited the Yarraville home for 18 months.

In March 2019, the facility received a score of 100 per cent in an accreditation assessment, meeting all 44 standards.



Ms Morris believes more could have been done to protect her father. (ABC News: Jeremy Story Carter)

## Home given perfect score six weeks before outbreak

Yarraville is not the only Dousta Galla home with coronavirus. Of its eight homes, four have had outbreaks, with 184 staff and residents infected.

One of those facilities, where 42 staff and residents were infected and five people died, had been given the tick of approval by the regulator shortly before its outbreak.



Government health workers intervened at Dousta Galla Yarraville during the worst of the COVID-19 outbreak. (ABC News: Margaret Paul)

The Quality and Safety Commission re-accredited Dousta Galla Wornack on July 20 this year without any assessor going on site to do an audit, due to the "exceptional circumstances" of the COVID pandemic.

That was despite the home being declared as posing a "serious risk" to residents' safety pre-coronavirus in April 2019, when it failed one of the standards.

Dr Rodney Jilek, a compliance officer and clinical advisor for the Department of Health and Ageing, said the Quality and Safety Commission should have been on site at facilities before, during and after the outbreaks.

"I think the biggest issue has been that the regulator hasn't actually been on site. So there was not a robust regulatory response in terms of preparedness for sites," he said.

"It's a poor excuse to say they couldn't risk infection control by being in there. Would we say that if it was a childcare centre and there were children who had died?

"I think that's an horrific outcome for residents in those homes and also the regulator, because they cannot have appropriate oversight of a service unless they actually go there and see what is happening."

### **Are you worried about aged care in Australia?**

The aged care royal commission continues and so does our investigation. Let us know if you have a story or issue you'd like the ABC to look into. Email [aged.care@abc.net.au](mailto:aged.care@abc.net.au) to tell us your story.

## **Regulator visits just 13 per cent of aged care outbreaks**

Since the start of the pandemic, ABC Investigations can reveal that the Quality and Safety Commission has visited just 30 of the 220 nursing homes with coronavirus outbreaks.

That equates to 13 per cent of clusters. The commission has visited 14 services in Victoria, nine in NSW, four in Queensland and three in Tasmania.

The ABC's 7.30 and Four Corners programs have made repeated requests for interviews with Commissioner Janet Anderson, but she has always been "unavailable".



Aged Care Quality and Safety Commissioner Janet Anderson before a Senate committee on COVID-19. (Supplied)

In a statement, Ms Anderson said "site visits by the regulator are only one tool in effective regulation" and that the watchdog "relies on a wide range of intelligence-gathering processes including but extending well beyond site visits".

"In some instances it may not be appropriate or safe for the commission to visit a service until the outbreak is over," Ms Anderson said.

## **Commission under pressure**

Even before the crisis in Victoria, the Quality and Safety Commission had been criticised for suspending on-site inspections of nursing homes for some months just as the pandemic was beginning in Australia.

ABC Investigations can reveal the regulator's own figures show it visited just 63 of 766 Victorian nursing homes in the first half of the year.

At the Aged Care Royal Commission in August, Ms Anderson was criticised for phoning providers to ask them to rate their preparedness for the pandemic.

Almost every single aged care provider — 95.5 per cent — rated themselves as ready, with almost half rating themselves as "best practice," including [Newmarch House in Sydney, where 19 residents died](#).

Both the Federal Government and Ms Anderson denied they didn't do enough, saying the rate of community transmission in Victoria meant infections in aged care were unavoidable.

## **'No transparency' to who gets sanctioned**



A body is wheeled out of Epping Gardens during the crisis at the aged care home. (ABC News: Four Corners)

The commission has since taken tough action against 20 aged care homes with outbreaks by placing sanctions on most of them for six months. That still represents less than 10 per cent of facilities with clusters.

Ten of its facilities have had coronavirus outbreaks. More than 280 residents and staff have been infected with the virus and 45 residents have died.

Yet, no-one from the regulator has visited any of the Bluecross sites since the outbreak.

The ABC asked Ms Anderson whether it would investigate Bluecross given the large numbers of infections and deaths.

In a statement, she said "the commission does not disclose planned and unannounced visits to a service or provider in order to maintain the integrity of the commission's regulatory activities".

Ms Anderson said the commission issued Bluecross with a notice regarding failings of standards on September 5.

She said it was not yet published as she was "giving them an opportunity to respond" and "an undertaking to remedy" the situation.

The ABC has searched the commission's website and found that all but one of the Bluecross homes had been given scores of 100 per cent for quality and safety for the past two years.

"In a lot of respects, it [the regulator] is unfortunately, a toothless tiger," Dr Jilek said.

"The ramifications when it does take action are very short term."

## **Daughter says goodbye to father over livestream**



Amanda Miha and her father Tas in happier times (*Supplied*)

Amanda Miha's father Tas was at one of those facilities, Bluecross Autumdale.

Before the outbreak, she installed a camera in his room that allowed her to log in to watch and speak to her father.

"Basically, because we couldn't be by his bedside, this was us being by his bedside," she said.

"So we would be there every mealtime to encourage him.

"I was there the day his oxygen level did drop and they had to get oxygen for him. Then the oxygen eventually just wasn't doing enough."

A nurse rang Amanda's family early one morning so they could say goodbye to the 88-year-old.

In the end, more than half of the 42 residents at Bluecross Autumdale contracted the virus.

Thirteen died, including Amanda's father.

"It's the way that hundreds of these people are dying," she said.

"I remember the day when I heard Dan Andrews say a man in his 80s had died and I was like, 'that's my dad'.

"For the public, it probably ... just washes over them. We've heard these numbers so many times. We need to put faces to these numbers."

No one from the Quality and Safety Commission visited Bluecross Autumdale.

"I looked at the Bluecross Autumdale [regulator's] report and the first thing that I was really surprised by was that the audit was three years ago," Ms Miha said.

"I was thinking to myself, 'oh, they probably did it at the start of the year' because I thought that would be a reasonable thing to do when there's a pandemic coming, so I was really shocked."

More than 4,000 aged care staff and residents have been infected with coronavirus, with 657 dying — making up 75 per cent of all coronavirus deaths in the country.

### **What you need to know about coronavirus:**

- [When and how to wear a face mask](#)
- [The symptoms](#)
- [The number of cases in Australia](#)
- [Global cases, deaths and testing rates](#)

Dr Jilek is a nurse adviser to one of the 20 homes issued with a sanction and was critical of the commission's decision-making, which he said was arbitrary.

"The decision-making is completely opaque. There is no transparency," he said.

"I can't see that there's any correlation between the number of residents that have been infected, or staff that have been infected, or deaths, that can categorically say that this is the data that they've used to issue notices.

"I can't speak for other homes, but certainly the home that I've been to, the regulator has not been to and what I'm hearing from other advisors is that has been the case in their homes as well."

Following questions from the ABC, the regulator said it went on site to just six of those 20 facilities to issue sanctions.

Ms Anderson said the sanctions were placed after information from federal and state departments of health and first responders.

### **Provider with worst clusters escapes tough sanction**

Since the start of the pandemic, Victorian authorities have published the worst 10 clusters every day and nine of those facilities have been sanctioned, including well-known outbreaks at St Basils and Epping Gardens.

However, a home from aged care provider Bluecross at Ruckers Hill, which recorded 131 cases and 12 deaths, was not sanctioned.

In a statement, Ms Anderson said the regulator's assessor had "determined that [Bluecross Ruckers Hill] was taking necessary action to remediate the circumstances and was satisfied that there was no immediate and severe risk to the health, safety or wellbeing of care recipients at the service".



YOUTUBE: Australia's second coronavirus wave: what went wrong in Victoria. | Four Corners

Bluecross is a private company and one of the country's biggest aged care providers, with 23 residential care facilities.