

# Agenda

## AGED CARE GOVERNANCE COMMITTEE

**22 September 2020**

### Notice of Meeting

The next **Aged Care Governance Committee** will take place in the Committee Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Tuesday 22 September 2020 commencing at **4:00pm**.

Yours sincerely



**ANDREW BRIEN**  
**CHIEF EXECUTIVE OFFICER**

**15 September 2020**

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## AGENDA

### 1. OFFICIAL OPENING

### 2. ACKNOWLEDGEMENT OF COUNTRY

In accordance with the City of Bayswater's Reflect Reconciliation Action Plan November 2019-November 2020, the Presiding Member will deliver the Acknowledgement of Country.

Noongar Language

*Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Whadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.*

English Language Interpretation

*We acknowledge the Traditional Custodians of the Land, the Wadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.*

### 3. ATTENDANCE

#### Members

Cr Dan Bull, Mayor *Chairperson*

Cr Giorgia Johnson

Cr Sally Palmer

Mr Chris Hall Chief Executive Officer, Juniper

Mr David Fisher Executive Director Corporate Services, Juniper

Ms Yasmin Naglazas Executive Director Operations, Juniper

#### Officers

Mr Andrew Brien Chief Executive Officer

Ms Linnet Solomons Acting Director Corporate and Strategy

Mr Kelley Ambrose Manager Strategic Projects

Ms Cassandra Flanigan Executive Support/Research Officer

Mrs Jo Boone Acting Personal Assistant

#### 3.1 Apologies

Nil

#### 3.2 Approved Leave of Absence

Nil

#### 4. DISCLOSURE OF INTEREST SUMMARY

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

#### 5. DELEGATED AUTHORITY BY COUNCIL

There are no items appearing in this agenda for which the Aged Care Governance Committee has been granted delegated authority by Council in accordance with section 5.23(1)(b) of the *Local Government Act 1995*; this meeting is closed to the Public.

#### 6. TERMS OF REFERENCE

TERMS OF REFERENCE Aged Care Governance Committee	
<b>Purpose:</b>	<ol style="list-style-type: none"> <li>1. Council at its Meeting held on 29 October 2019 established the Aged Care Governance Committee for the purpose of making recommendations directly to Council in accordance with Regulations 16 and 17 of the <i>Local Government (Audit) Regulations 1996</i>.</li> <li>2. In addition the Committee will provide oversight into the disposition of the City's three Retirement Villages (Carramar Village; Noranda Retreat; Salisbury Retreat) and two Residential Care Facilities (Carramar Hostel; City of Bayswater Hostel).</li> </ol>
<b>Membership:</b>	<p>Membership of the Committee comprises :</p> <ul style="list-style-type: none"> <li>• 3 x City of Bayswater representatives (for parts 1 and 2 above); and</li> <li>• 3 x Juniper representatives (for part 1 only).</li> </ul> <p>The Chief Executive Officer (or representative) and the Director Corporate and Strategy are required to attend the Committee meeting but are not members.</p> <p>In accordance with section 5.11A of the <i>Local Government Act 1995</i>, all other Councillors are appointed as Deputy Members of the Aged Care Governance Committee for the term 31 October 2017 to 12 October 2019 in the following order:</p> <p>If a Member is unable to attend a meeting, the order of appointment of the Deputy at that meeting will be based on:</p> <ol style="list-style-type: none"> <li>i) Councillor of the same Ward as the Member of the Committee; and</li> <li>ii) Length of service</li> </ol>
<b>Meetings:</b>	<p>Committee meetings are to be in accordance with the City of Bayswater Standing Orders Local law.</p> <p>The Chairperson is responsible for the proper conduct of the Committee.</p> <p>The Committee has no delegated power or duty to implement its recommendations without approval of Council.</p>

<b>Meeting Frequency:</b>	As required - At least once per financial year.
<b>Meeting Date and Time:</b>	When suitable.
<b>Location:</b>	City of Bayswater Civic Centre.
<b>Liaison Officer:</b>	Director Corporate and Strategy or nominated officer.

## **7. CONFIRMATION OF MINUTES**

**The Minutes of the Aged Care Governance Committee Meeting held on 7 July 2020 which have been distributed, be confirmed as a true and correct record.**

**Moved:           Seconded:**

## 8. REPORTS

### 8.1 Update on Aged Care Governance Framework

<b>Responsible Branch:</b>	Strategic Projects	
<b>Responsible Directorate:</b>	Corporate and Strategy	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
<b>Voting Requirement:</b>	Simple Majority Required	
<b>Attachments:</b>	<b>Confidential Attachments</b>  1. Aged Care Governance Standards – Carramar residential care facility.  2. Juniper operational report of July 2020 including key performance indicators and measures for meeting the standards.	
<b>Refer:</b>	Item 10.5.1 :OCM 21/04/2020 Item 11.1 :OCM 26/05/2020 Item 10.5.1.2 :OCM 25/08/2020	

**Confidential Attachment(s) - in accordance with Section 5.23(2)(e)(iii) of the *Local Government Act 1995* – information about the business, professional, commercial or financial affairs of a person.**

#### SUMMARY

At its meeting of 24 March 2020, the Aged Care Governance Committee was advised of the intention to develop an aged care governance framework commensurate with the City's obligations as the governing body for the Carramar and City of Bayswater Hostel residential care facilities.

At that meeting, the impact of COVID-19 on the aged care industry was discussed; and the Committee resolved that Juniper provide further information on its key performance indicators and contingency plans for managing a local COVID-19 outbreak.

At its meeting of 26 May 2020, the Committee was advised of the formal request from the City to Juniper to provide the information as per the Committee resolution of the March meeting.

At its meeting of 7 July 2020, the Committee was presented with an update of the work in developing an appropriate aged care governance framework in line with recommendations of the City's aged care consultant Ansell Strategic. During that meeting, Juniper advised of how the aged care sites were being managed according to the Australian Government aged care guidelines, including the precautions being taken and the early challenges of securing adequate stocks of personal protective equipment (PPE).

In respect to the governance framework, the Committee resolved:

*"That Council defers this item to the next meeting of the Aged Care Governance Committee scheduled to be held on 22 September 2020, to enable further research/interpretation with respect to the City's obligations."*

The City has been working since then with Juniper to clarify the City's governance reporting obligations, including the role of the Australian Government accreditation process.

**OFFICER'S RECOMMENDATION**

**That Council notes:**

- 1. The last accreditation for the Carramar residential care facility was conducted under the current aged care governance standards.**
- 2. The last accreditation of the City of Bayswater Hostel was done under the previous aged care governance standards but is valid until 2022, and the City will continue to work with Juniper to develop an appropriate reporting mechanism in line with the City's aged care governance framework, with updates to be provided to the next Committee meeting.**
- 3. The compliance and performance indicators requested from Juniper have since been provided to the City.**

**BACKGROUND**

The previous reports to the Committee summarised the work on development of the City's aged care governance framework, including identifying and managing the risks associated with the aged care services.

The purpose of the aged care governance framework is to ensure that the City is meeting its obligations as the governing body for the two residential aged care facilities. The aged care governance framework is based on the eight Aged Care Quality Standards ('the 'current standards') which took effect on 1 July 2019.

The eight standards cover consumer dignity and choice, the assessment process for determining care needs, the identification of support needs, the service environment, feedback and compliant management, internal systems for managing information and workforce planning and governance.

Standards 1 – 7 relate mainly to the operational aspects. Standard 8 (Governance) is particularly relevant to the City.

Prior to July 2019 there were four aged care quality standards (the 'previous standards').

The City's residential care facilities have been accredited by the Australian Government against the prevailing standards.

**EXTERNAL CONSULTATION**

Ansell Strategic was commissioned to assist with development of the City's aged care governance framework.

**OFFICER'S COMMENTS**

The Committee was advised in the previous reports that Juniper is required to provide information on the measures being taken to meet the aged care governance standards; however, the City has ultimate responsibility as the governing body. Providing assurance to the Committee that those requirements are being met has been central to the development of the aged care governance framework.

In developing the aged care governance framework, consideration was given to engaging independent consultants to provide the necessary assurance – particularly for the clinical governance aspects. At this stage, that has not been required.

***Carramar residential care facility, Redgum Way Morley***

Since the last Committee meeting in July, the City has met with Juniper to discuss the best way forward for meeting the aged care governance reporting requirements, and that included discussion on the accreditation inspections conducted by the Australian Government Aged Care Quality and Safety Commission on the residential care facilities.

An assessment team of the Aged Care Quality and Safety Commission conducted a full accreditation inspection of the Carramar residential care facility in March 2020 against the eight current standards (***Confidential Attachment 1***).

The findings are shown in summary form for standards 1 – 7. Standard 8 is of direct relevance to the City as the governing body, and therefore the accreditation outcomes are shown in detail, and that includes matching the outcomes to the recommendations of the City's aged care consultants.

The report verified that there were two non-compliances found against Standard 1 (Consumer Dignity and Choice), and Juniper will provide further information on what measures have since been taken. The Commission found that Juniper was compliant with all other standards.

Overall, the accreditation was recent and was a comprehensive and independent exercise. There were two non-compliances out of a total of 25 areas tested. With due regard for the measures that Juniper is taking to manage the two non-compliances, the accreditation report validates that overall, the operations at the Carramar facility meet the aged care governance framework.

The specific operational measures are set out in Juniper's report to the City as per ***Confidential Attachment 2***, and the Committee may wish to note that the KPI's are included in that report. Juniper will speak at the meeting to the 2 items that are marked as under review.

***City of Bayswater Hostel, Embleton Avenue, Embleton***

The City of Bayswater Hostel was last accredited in April 2019 under the previous aged care quality standards. The accreditation is valid until 2022, so there is no requirement to retest the site under the current standards until then.

From an assurance perspective however, the City will continue to work with Juniper to develop a reporting process that demonstrates to the Committee that the City is meeting its responsibilities as the governing body. The comparison between the four previous standards and the eight current ones is:

Pre July 2019	Post July 2019
<b>Standard 1:</b> Management systems, staffing and organisational development	<b>Standard 1:</b> Consumer dignity and choice
<b>Standard 2:</b> Health and personal care	<b>Standard 2:</b> Ongoing assessment and planning with consumers
<b>Standard 3:</b> Care recipient lifestyle	<b>Standard 3:</b> Personal care and clinical care
<b>Standard 4:</b> Physical environment and safe systems	<b>Standard 4:</b> Services and supports for daily living
	<b>Standard 5:</b> Organisation's service environment
	<b>Standard 6:</b> Feedback and complaints



	<b>Standard 7:</b> Human resources  <b>Standard 8:</b> Organisational governance
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## LEGISLATIVE COMPLIANCE

The prevailing legislation is the *Aged Care Act 1997*. The Aged Care Quality and Safety Commission (the Commission) commenced on 1 January 2019 with a range of functions specified in the *Aged Care Quality and Safety Commission Act 2018*. On 1 July 2019, the eight Aged Care Quality Standards came into effect. They apply to the City's two residential care facilities.

## OPTIONS

In accordance with the City's Risk Management Framework, the following options have been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

<b>Option 1</b>	<b>That Council notes:</b> <ol style="list-style-type: none"> <li>The last accreditation for the Carramar residential care facility was conducted under the current aged care governance standards.</li> <li>The last accreditation of the City of Bayswater Hostel was done under the previous aged care governance standards but is valid until 2022, and the City will continue to work with Juniper to develop an appropriate reporting mechanism in line with the City's aged care governance framework, with updates to be provided to the next Committee meeting.</li> <li>The compliance and performance indicators requested from Juniper have since been provided to the City.</li> </ol>	
<b>Risk Category</b>	<b>Adopted Risk Appetite</b>	<b>Risk Assessment Outcome</b>
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	The last Carramar accreditation was conducted under the current aged care quality standards and therefore meets the assurance requirements of the City's aged care governance framework. The last accreditation of the City of Bayswater Hostel was carried out under the old standards but is current until 2022, and the City will continue to work with Juniper to develop an appropriate reporting mechanism in line with the aged care governance framework. Updates on that will be provided at the next Committee meeting. The compliance and performance indicators have since been provided by Juniper.	

## FINANCIAL IMPLICATIONS

Provision of \$25,000 has been made in the Aged Care Operating Budget 2021 for external consultants to assist with the aged care governance assurance processes.

**STRATEGIC IMPLICATIONS**

The management agreement with Juniper expires in June 2021, and the aged care governance framework is intended to ensure that the City meets its obligations as the governing body for the duration of the current agreement.

In accordance with the City of Bayswater Strategic Community Plan 2017-2027 (as amended), the following applies:

Theme: Leadership and Governance  
Aspiration: Open, accountable and responsive service  
Outcome L1: Accountable and good governance

**CONCLUSION**

The City has obligations as the governing body under the Aged Care Governance Standards for the two residential care facilities. Juniper has its own governance obligations under those standards as the service provider. The aged care governance framework is based on the eight standards, which came into effect in July 2019, and the Carramar facility was recently accredited under those standards by the independent assessment team of the Aged Care Quality and Safety Commission.

The City of Bayswater Hostel was last accredited in 2019 under the previous standards. While that accreditation is valid until 2022, the City will continue to work with Juniper to develop an appropriate reporting mechanism to provide assurance to the Committee that the governance requirements are being met, and updates will be provided to the next Committee meeting.

**9. PREVIOUS MATTERS DEALT WITH NOT ON THE AGENDA**

Reconciliation of matters arising from past meetings:  
Nil.

**10. GENERAL BUSINESS**

Nil.

**11. CONFIDENTIAL ITEMS**

Nil

**12. NEXT MEETING**

The next meeting of the Aged Care Governance Committee will take place in the Committee Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on 24 November 2020 commencing at **4:00pm.**

**13. CLOSURE**