

Module	COMMUNITY CARE AND SERVICES
Jurisdictions	CTH, NSW, VIC, SA, TAS, WA, NT, QLD, ACT

Module Scope

Does your organisation deliver community services under service agreements with state/territory or Commonwealth governments?

Are your services effected by the National Disability Insurance Scheme and have you registered with the National Disability Insurance Agency?

Module Application

Government funded community care and services in Australia are generally provided by a diverse group of community service providers under service agreements with individual states and territories and the Australian government. The contracts are obtained through competitive tender processes and lead to the allocation of funding for service provision.

The COMMUNITY CARE AND SERVICES is a very wide ranging module which informs an entity on the processes and procedures through which they can apply to the commonwealth or state government to become an approved service provider in the community care and services industries in Australia. It also informs the community care and services providers of the regulations, laws and processes that they need to observe while continuing to provide those services.

The types of community care and services provided in Australia are intended to assist people with a range of supports including;

- › Continuing to live independently in the community and in their own homes;
- › The provision of sustainable and affordable housing;
- › The provision of clinical care, nursing, and disability support services;
- › Education and counselling;
- › Social and physical development.

In some states and territories the community care and services providers will operate under an overarching set of standards and a certification system that applies to all recipients of funds from the applicable government funding body for community care and community services. In other states and territories, each service type may have its own set of standards and/or certification system that the community care and service providers of that state or

territory will need to work within. The module informs entities making applications to provide services in all the states and territories and Australia as a whole.

The obligations of service providers in the community care and services industry are derived from legislation, providers' individual service agreements and funding details; and from government policy, standards and guidelines.

The COMMUNITY CARE AND SERVICES module covers the obligations of service providers entering agreements in different states and territories of Australia to provide different services and assistance to a differing range of people with diverse needs, including;

- Service providers funded by the Queensland Government to provide human services must comply with the Human Services Quality Framework (HSQF);
- Providers of community care and services funded by the Victorian government and providing services directly to clients must comply with the Human Services Standards;
- Queensland and Victorian governments require service providers to demonstrate additional or alternative forms of accreditation, certification, self-assessment, or whether, as is the case in some situations, the exemptions from demonstrating compliance that may apply;
- In New South Wales most community care and service providers receive funding from the Department of Family and Community Services. Alternatively funded services, for example providing disability services, foster care and adoption services, community transport and community housing all go through separate processes to measure distinct compliance obligations;
- The National Disability Insurance Scheme (NDIS) which is coordinated by the commonwealth government through the National Disability Insurance Agency (NDIA).

There are general obligations and responsibilities on community care and service providers which are covered by the module and include;

- Financial management and the avoidance of insolvency;
- Accurate record-keeping;
- Reporting in accordance with timing requirements;
- Obtaining, maintaining and renewing requisite licences and registrations;
- Management of diverse and special needs service users;
- Obtaining required consents;
- The protection of service users' rights and autonomy;
- Ensuring appropriate insurances are in place;
- Handling and using personal information in a way that is fair and legal;
- Maintaining quality standards;
- Staffing levels;
- Managing risk;
- Make mandatory notifications, reports and disclosures to the appropriate bodies;
- Processing and responding to complaints;
- Co-ordinating with other frontline services and providing customised care;
- Information sharing, reporting and record keeping;
- Avoiding conflicts of interest in service delivery;
- Responding to both minor and major incidents within established timelines.
- Additional, more specific obligations that are covered by the module include;

- › Ensuring that all staff are aware of their obligations and responsibilities;
- › Requirements relating to the sub-contracting of services;
- › Monitoring and enforcement of standards;
- › Staffing levels and training;
- › Enabling supported and substituted decision making;
- › Prioritising home support, clinical care and centre based care.
- › Protecting intellectual property.

The module covers the obligations of a diverse group of service providers and the key pieces of Commonwealth and State legislation and regulations that these obligations are based on covering the areas of;

- › Disability services;
- › Foster care, adoption and out-of-home care (also referred to as licensed care and alternative care) services;
- › Home modification and community housing;
- › Community transport services;
- › Counselling and other health services;
- › Veterans affairs;
- › Marriage services;
- › Sport and recreation organisations;
- › Employment services;
- › Allegations of abuse.

The module also covers the potential consequences of a failure of the community care and service provider to comply with their obligations. The consequences can include;

- › The service provider being found ineligible to start or continue service provision;
- › Withdrawal of government funding;
- › Termination of the service agreement;
- › “Improperly used funds” may become a recoverable debt;
- › Monetary penalties or fines;
- › Registrations being revoked;
- › Compliance notices being issued;
- › The appointment of an interim manager.

The COMMUNITY CARE AND SERVICES module covers the obligations of entities operating or seeking to operate in the government funded sector. The module does not cover the obligations of volunteers or privately funded activities or entities.

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