

RTI Explanatory notes

Right to Information application 4903 –

Matters regarding instances of abuse, mistreatment, neglect and/or theft and fraud within state run aged care centres in Queensland

Purpose of report

1. Provide applicant of RTI 4903 complaints reported in RiskMan meeting criteria as detailed in Search Criteria.
2. Provide applicant of RTI 4903 complaints and matters reported to the Department and recorded in a central register, meeting criteria as detailed in Search Criteria.

Data source

Riskman

- The data presented were extracted from the Consumer Feedback module of RiskMan and are self-reported by HHS staff.
- The Consumer Feedback module in Riskman is designed to enable reporting, investigation and management of consumer feedback reported/received by Hospital and Health Service (HHS) staff.
- The classifications utilised are determined by HHS staff who self-report the complaint.
- The data were current in RiskMan as of 25 February 2019 and are subject to change.

Central register

- The data presented were extracted from the Complaints and Mandatory Reports sections of the Central Reporting Register held in the Department for notifications relating to public aged care and are reported by HHS staff or received via the former Aged Care Complaints Commissioner.
- The data represent details of notifications received by the Department of complaints and mandatory reports and may not represent all complaints made about state run aged care facilities to the former Aged Care Complaints Commissioner or mandatory reports made to the Australian Government Department of Health during the specified time range.
- The data were current in the Central Reporting Register as of 23 May 2019 and subject to change.

Search Criteria

The data extracted from the Consumer Feedback module included:

- Date range: 01/01/2018 to 31/12/2018 (Date complaint received)
- Type of feedback and complaint issue classifications:
 - Professional misconduct and included the following issues - Alleged abuse, alleged assault, alleged sexual misconduct, alleged theft or fraud, alleged threats, bullying or harassment OR
 - Treatment and included the following issue - withdrawal/denial of treatment OR
 - Humaneness and Caring and included all issues

Search Methodology

Riskman

Following the extraction of complaints using the above search criteria, complaints were reviewed by the two staff within the Systems team, Patient Safety and Quality Improvement Service, for relevance to the RTI requested data (i.e. patient/resident abuse, mistreatment, neglect and/or theft).

Search Results

Riskman

Subsequent to the extraction of the data and review as described above, one complaint aligned with the RTI request.

Central register

Subsequent to the extraction of the data, notifications of three complaints and 12 mandatory reports aligned with the RTI request.

RTI 4903 - Item A(1) - Complaints regarding instances of abuse, mistreatment, neglect and/or theft and fraud by staff within state run aged care centres in Queensland

Date notification received	Facility	Detail
2018		<p>Member of public advises she wishes to lodge a complaint where she alleges witnessed rude and abusive behaviour of an aged care worker towards the elderly people in care at the Gardens on 18. She said her and her friend with their babies spent the morning at the am that her and her friend witnessed this disrespectful and abusive behaviour. She states the abusive worker was wearing a uniform of a and she is adamant that the Health logo was displayed and wore a photo ID tag that said **. The other carer was not wearing a uniform and they did not witness being rude or abusive. There were maybe 5-6 elderly people with the 2 carers. The one named ** spoke derogatively and disrespectfully to the elderly people and was feeding them sandwich quarters and at times it appeared was shoving the sandwich quarters in their mouths and not giving them enough time to chew and swallow. would not allow them to go to the toilet without her permission and if they stood up would tell them to sit down. was short and abrupt and outright rude and derogative in the way spoke to these elderly people. The elderly people were happy to see the babies and would wave at them so her and friend helped their babies wave back. She alleges that ** told the elderly people to stop waving at the babies. Her and her friend brought their babies over to the elderly to allow them to touch and shake hands with their babies and allowed a couple of them to hold their babies and she said the faces of the elderly people lit up with smiles. She alleges ** said "Great, she's never going to leave now".</p> <p>Member of Public says her and her friend watched them board a white mini-bus that had no logos on and sat maybe 8-10 people. Two of the elderly had walking frames and required some assistance however the remainder of the elderly people in the group mobilised themselves. Member of Public said she found this incident disturbing and couldn't get what she witnessed out of her mind last night that she feels compelled to report the matter so something can be done. Member of Public states her friend is an and she herself is an and she knows this is not the way you treat or speak to anyone including elderly people and this carer should know better. She said if ** hates job that much then needs to get another job because aged care is not where should be working. I have stated to Member of Public that there is the possibility that this aged care worker may not be a HHS worker however we will look into the concerns she has raised. I have asked Member of Public what she wants as an outcome and she stated that she is happy for the matter to be managed internally to prevent this happening again and if required she is happy for someone to phone her if further information is needed.</p>

This information has been retrieved from the RiskMan Consumer Feedback module for the period 01/01/2018 - 31/12/2018.

Information is current as at 23 May 2019, subject to change, and may not represent all complaints about state run aged care facilities.

RTI 4903 - Item A(2) - Complaints regarding instances of abuse, mistreatment, neglect and/or theft and fraud by staff within state run aged care centres in Queensland					
Date notification received	HHS	Facility	DOHA Case ID	Type of complaint	Notes
email on [REDACTED] 2018	[REDACTED]	[REDACTED]	[REDACTED]	Anonymous complaint - Residents have been given non-prescribed medication that makes them drowsy or quiet	Email from Aged Care Complaints Commissioner provided, also letter of response to the Aged Care Complaints Commissioner from [REDACTED] HHS.
postal mail dated [REDACTED]/2018	[REDACTED]	[REDACTED]	[REDACTED]	Care and services provided to facility resident	QH received notification that complaint had been made to Commonwealth on [REDACTED] 2018, and was now finalised. No prior notification of QH had occurred about the complaint.
postal mail dated [REDACTED]/2018	[REDACTED]	[REDACTED]	[REDACTED]	Complaint regarding dispensing of a care recipient's medication	The letter outlines a decision to take no further action, and that the resident's [REDACTED] subsequently requested a review of this decision. After reviewing the information, the ACCC has confirmed its upholding of the original decision, based on the view that [REDACTED] has identified the cause of the error and taken corrective action to address the issue and prevent it reoccurring. The ACCC also stated that the issues have been referred to the Australian Aged Care Quality Agency (AACQA) for monitoring at [REDACTED] next assessment contact visit. Potential implications: 1) The information referred to AACQA could result in an unannounced visit to [REDACTED]. 2) As the complainant has been dissatisfied with the ACCC's decisions, there is also a potential risk that [REDACTED] may escalate [REDACTED] concerns about [REDACTED] beyond formal complaints mechanisms. We had not previously received information regarding this complaint or the review process. However, QH RACFs have never been required to report to the Queensland Department of Health on resident complaints, so [REDACTED] did not fail to comply with any directives.

This information has been retrieved from a Departmental register of notifications made from Hospital and Health Services or the former Aged Care Complaints Commissioner to the Department about formal complaints for the period 01/01/2018 - 31/12/2018

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RTI 4903 - Item B - Matters regarding mandatory notifications of alleged instances of abuse, mistreatment, neglect and/or theft and fraud by staff within state run aged care centres in Queensland

Date notification received	HHS	Facility	DOHA incident number	Type of alleged incident	Date the allegation or suspicion was made known	Description	Actions taken
/2018				Reportable Assault	/2018, 11.45am	staff member reported that on /2018 at 5.30am while changing a resident the nurse grabbed the resident by the wrists using unreasonable force.	Police contacted, informed. Resident medically reviewed. Nurse not working the the aged care areas until investigation completed.
/2018				Reportable Assault	/2018	The RACF reported to the Commonwealth (on) and the Queensland Department of Health (on) regarding an alleged assault on a resident by a staff member, made known on to the person responsible for reporting. Police involved on /18 after family escalated issue - both Police and later Police.	RACF has been in contact with family multiple times since alleged assault. Staff member removed from until the investigation has been completed. All staff instructed that Resident care plan reviewed –
2018				Unreasonable use of force or assault	/2018	The alleged incident involved a care recipient punching at a and spitting in their face whilst . The reportedly responded instantaneously and slapped the care recipient on the left side of face. The incident was witnessed by a .	Photo evidence taken of the care recipient's face and statements requested from all staff involved. Incident reported to police, who attended the facility on 2018. The spoke with the care recipient's and informed of the events. Ongoing monitoring of the care recipient as per his behavioural management plan. The incident is under investigation by the HHS.
/2018				Reportable assault - excessive use of force	/2018	Statement from a alleging that had used excessive force and hit and used knee on a resident	requested to return to the facility (and was informed of the allegation. Requested that was not to attend any of the residential aged care units at the facility or have any resident contact. Meeting conducted in a meeting room with closed door. GP of resident contacted for review of resident. Reported to police.
/2018				Reportable assault - unreasonable use of force or assault	/2018	Alleged that staff member put hand over resident's mouth with force and was verbally aggressive towards resident.	Facility attempting to contact staff member. Staff member will be stood down while incident is investigated. Report states that person to be contacted is: - contact details are in report form.
/2018				Reportable assault - unreasonable use of force or assault	/2018	Alleged that staff member interacted with a resident in such a way that resulted in three bruised fingers.	GP notified and reviewed injury. Discussion conducted with care recipient. Care recipient has a cognitive impairment and has since denied the allegation. QPS notified. Clinical photos of bruising to be taken. Review of recent roster to identify male staff working in the unit in past 24-72 hours to be conducted. CE advised.
/2018				Reportable assault - unlawful sexual contact	/2018	Staff member alleged to have sexually assaulted a resident.	who allegation was initially made to was spoken with, and confirmed allegation was made by resident. Discussion conducted with care recipient, who has some cognitive impairment. Care recipient did not validate allegation. QPS notified. EPOA notified. HR advised – facility awaiting advice and direction. CE advised
/2018				Reportable assault - unreasonable use of force or assault	/2018	Staff member alleged to have hit a resident in the head.	QPS notified and visited. GP review conducted. CE notified.
/2018				Reportable assault - unreasonable use of force or assault	/2018	Staff member alleged to have used unreasonable force on two residents	Local procedures followed, including a full physical assessment by nurse completed. QPS did not progress as a criminal investigation. This allegation was closed as it was unable to be substantiated.

█/2018	█	█	█	Reportable assault - unreasonable use of force or assault	█/2018	Staff member alleged to have used unreasonable force on a resident while attending to their personal care	Resident was reviewed immediately by the facility, and GP review scheduled for █/2018. QPS notified and have been on site to review the allegation. Resident's family has been notified. Staff member reported to HR Department for further investigation and action. Education on elder abuse being provided to all staff, and lines of reporting are in place to action allegations and suspicion of any forms of abuse. Residents with cognitive impairment have two staff deliver care for safety. CE advised.
█/2018	█	█	█	Unexplained absence report	█/2018	Resident was unable to be found after █ party in function room.	QPS notified, staff went out looking and found lady down the road from the nursing home. Resident missing approximately an hour. Resident reported to not be distressed or injured upon being located. Incident attributed to miscommunicated between staff regarding taking resident back to █ unit. Actions taken by facility to manage or minimise risk include: establishment of a white board system, located in function room, to check residents in and out for all future functions.
█/2018	█	█	█	Reportable assault - unreasonable use of force or assault	█/2018	Family member and EPOA alleged that an RN verbally threatened and slapped resident in a lounge area.	QPS notified, statement taken from staff member. Staff member moved to another unit and to work in partnership with another staff member. Resident assessed by other nursing staff and no injury, redness or swelling evident. Waiting for further advice from HR services. QPS case ID number: █. GP advised and requested to review resident. QPS interviewed RN and family members. Family have requested no charges be pursued. QPS have advised that they will not be progressing. HHS investigation continuing. █ CE notified.

This information has been retrieved from a Departmental register relating to mandatory notifications for the period 01/01/2018 - 31/12/2018.

As part of the mandatory reporting process these matters were all referred to the police by the relevant facility.

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