

# Webinar for supported residential services

10 December 2024

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## You will learn answers to the following:

- Why is there a new Social Services Regulator and what is its role?
- What requirements have changed for me since 1 July?
- What are my reporting requirements?
- What guidance is there to help us comply?
- Where can I get more information?

**Please complete the quick poll on your screen, this helps us evaluate today's session**

## Getting the most out of today's webinar

- We encourage you to have your camera on
- Your microphone will be muted to avoid accidental interruptions
- There is a chat enabled for this meeting
- We will share a copy of the slides after the meeting
- Use the 'View' button to change what your screen looks like if you are having trouble viewing the presenter or slides
- The slides have links to our website you can click on to find out more
- There will be time at the end of the webinar for questions

About us

## About the Social Services Regulator

Jonathan Kaplan  
Social Services Regulator



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## Acknowledgement of Traditional Owners

I would like to begin by acknowledging the Traditional Owners of the lands on which we are meeting today

I pay my respects to Elders past and present, and to all the Aboriginal and Torres Strait Islander people who are joining us today.



# Who is the Social Services Regulator?

**The Victorian Government established the Social Services Regulator to be an independent statutory authority under the Social Services Regulation Act 2021**

- The Act establishes new laws to regulate social services in Victoria.
- The Act, the Social Services Regulations 2023 and the Supported Residential Services Regulations 2024 began on 1 July 2024.

**The new laws mean Victorian social service providers have:**

- ✓ a common set of social service standards
- ✓ a single **independent** regulator

**Replaces the:**

- ✓ Human Services Regulator
- ✓ Previous SRS legislation

## Our focus

- **Education and engagement** across the sector
- **Managing registrations**
- **Regulating** the Social Service Standards and the Child Safe Standards

- Monitoring and responding to provider notifications
- Acting to ensure the safety of social service users
- Responding to breaches of legislation

- ✓ Working with co-regulators and key stakeholders
- ✓ Including Community visitors and State Trustees
- ✓ Making decisions independently
- ✓ (we are not directed by the Minister)

**Our co-regulators include:** Commission for Children and Young People, Victorian Disability Worker Commission, NDIS Commission

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# How are the Social Service Regulator and the Department of Families, Fairness and Housing different?

**Social Services Regulator is responsible for regulation and focuses on:**

**Engagement and education** about the new laws

**Managing registrations**

**Regulating the:**

- six new Social Service Standards
- Child Safe Standards

**Responding to breaches of:**

- legislation
- regulations
- conduct

**DFFH is responsible for SRS sector support and focuses on:**

**Sector capability building**

**SRS community of practice**

**Managing SAVVI, PLP funding**

**Assesses** resident support needs, when notified by the Regulator

**Acting as a system steward**



## Who is covered by the new laws?

**Services  
covered by  
the Social  
Services  
Regulator**

**Children, youth and family services, including child protection**

**Disability services**

**Supported residential services**

**Homelessness support services**

**Family violence support services**

**Sexual assault support services**

**Out-of-home care and secure welfare services**

<https://www.vic.gov.au/services-scope-new-scheme>

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## Our priorities

- **Protecting service users** from harm, abuse and neglect
- **Minimise** risks of avoidable harm in social services delivery
- **Promote and support** the delivery of safe, effective social services
- Encourage **continuous improvement**
- **Close gaps** in safeguarding coverage





## What requirements have changed since 1 July?

- Registration requirements
- Social Services Standards

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## Registration requirements are ongoing

- SRS providers were automatically registered with the Social Services Regulator on 1 July 2024
- Your registration continues unless cancelled by the Regulator
- You must meet ongoing requirements to comply with the new laws

### Requirements include:

- ✓ meeting the Social Services Standards
- ✓ meeting the Child Safe Standards (if they apply)
- ✓ complying with your registration
- ✓ reporting
- ✓ SRS service specific

<https://www.vic.gov.au/social-services-regulator-registration>



# There are six Social Service Standards

**These replace the Accommodation and Personal Support Standards.**

Safe service  
delivery

Service user  
agency &  
dignity

Safe service  
environment

Feedback  
and  
complaints

Accountable  
organisational  
governance

Safe  
workforce

<https://www.vic.gov.au/social-services-regulator-social-services-standards>

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# Summary: how to meet a Standard

## Information sheets for each Social Services Standard include:

- Checklists
- Outcomes
- Service requirements
- Indicators of success.



Download at:

<https://www.vic.gov.au/social-services-regulator-social-services-standards>





**What requirements for SRS  
continue?**



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# Supporting your residents

## What records do I need to keep?

SRS providers must maintain records about each resident's prescribed and non-prescribed medications. This is necessary also for residents who manage their own medication.

Medication records must be in English and kept for seven years. For more details see Table 2.

Table 2: Record-keeping requirements for medications

Focus point of record	Must include
Resident	<ul style="list-style-type: none"><li>• name</li><li>• date of birth</li><li>• known medication allergies</li></ul>
Prescription	<ul style="list-style-type: none"><li>• direction, or administration details for each medication</li><li>• name and contact details of the registered health practitioner who prescribed the medication</li><li>• name and contact details of the registered health practitioner who instructed the resident to regularly take any nonprescription medicine</li></ul>
Medication	<ul style="list-style-type: none"><li>• name of each medication</li></ul>

## What transactions are permitted?

Transactions that relate *only* to providing accommodation and personal support to an SRS resident (in line with the Act) are permitted.

There are also specific criteria that mean that a transaction is not prohibited.

A transaction is not considered prohibited if there is no benefit to the SRS provider or close associate, but it:

- benefits a resident, or
- does not cause them to be worse off financially.

## What is a prohibited transaction?

To protect the interests of residents, an SRS provider and their close associates are not allowed to enter certain types of transactions with residents. These transactions are called prohibited transactions.

It is against the law for an SRS provider (or close associates) to:

## Using a Residential and Services Agreement (RSA) Supported residential service fact sheet



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### Contents

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Using a Residential and services agreement .....	2
Completing an RSA .....	2
What does an RSA need to include? .....	2
How do I choose an RSA? .....	4

## Managing medication

- ✓ Requirements when administering medicine
- ✓ Storing medication
- ✓ Keeping records

## Managing resident money

- ✓ Amount
- ✓ Record-keeping
- ✓ Storing evidence
- ✓ Updating the resident
- ✓ Managing requests

## Using a residential service agreement

- ✓ Explains rights and responsibilities
- ✓ Within 48 hours of a resident arriving, you must prepare a written RSA in consultation with them



# Operating your SRS

## Meeting staffing requirements

### What do I have to do?

All SRS providers must make sure:

- their staff includes a trained personal support coordinator and personal support staff
- staff are equipped with the necessary knowledge and skills to support residents
- personal support staff can meet each resident's needs in a timely manner and in line with their support plan
- to have more ancillary staff on **duty** if necessary, to ensure staff providing personal support to residents are not impacted by doing other tasks such as cleaning, cooking, or administrative duties.

How many staff do I need on duty?

## Staffing requirements

- ✓ Meet minimum requirements when employing staff
- ✓ Trained personal support coordinator
- ✓ Police checks, qualifications, experience, referee reports

## How to issue a notice to vacate

The notice must be in writing<sup>1</sup> and include the section of the Act you are issuing the notice under.

See **Table 2** for further details on what to include:

Details to include in a notice to vacate
<ul style="list-style-type: none"><li>• the date when the resident is to leave the SRS</li></ul>
<ul style="list-style-type: none"><li>• the reason the notice is being given, including sufficient detail to support your reasons such as facts, dates and circumstances</li></ul>
<ul style="list-style-type: none"><li>• a statement informing the resident they may appeal the notice to vacate to the Victorian Civil and Administrative Tribunal (VCAT).</li></ul>
<ul style="list-style-type: none"><li>• information about consequences of not meeting requirements outlined in the notice<sup>2</sup>.</li></ul>
<ul style="list-style-type: none"><li>• a signature and date provided by the SRS provider (or person acting on their behalf).</li></ul>

## Notices to vacate

- ✓ Steps to issue a notice to vacate
- ✓ Requirements for the notice
- ✓ If a resident doesn't leave after receiving a notice to vacate

## Requirements when charging fees

**Table 1: Meeting fee requirements for reservation, establishment and advance payment**

Type	Description	Your requirements
<b>Reservation fee</b>	A fee to reserve a place at the SRS	<ul style="list-style-type: none"><li>• You must not accept or request a reservation that exceeds two weeks fees<sup>3</sup>.</li><li>• You must provide written information to a prospective resident or a person acting on their behalf, stating how you will use the reservation fee and the circumstances in which the fee, or part of the fee, may be forfeited.</li><li>• When a resident who has paid a reservation fee first moves into your SRS, you must deduct that reservation fee from the fees under the residential and services agreement.</li></ul>

## Fees

- ✓ Requirements when charging fees
- ✓ Requirements when refunding fees
- ✓ Establishing a trust account



## Reporting to the Social Services Regulator

Richard Marks  
Director, Social Services Regulation

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## Case study

**Two residents at your SRS are involved and injured in a physical fight.**

**You make sure both residents are given first aid on site.**

**You notice later on that one resident has slurred speech and so send them to hospital for assessment.**

**You consider if this is something you report to the Social Services Regulator.**

## How do providers know what to report?

Be prepared by:

**Reading Regulator  
guidance**

**Attend webinars and other  
Regulator events**

**Review your existing  
policies and procedures**



# There are different reporting requirements

## **You need to tell the Regulator about:**

- ✓ Incidents during service delivery
- ✓ Changes to your organisation and operations
- ✓ Some notices to vacate
- ✓ When a resident needs more support than you can provide
- ✓ Reportable transactions

## **You need to tell the Department of Families, Fairness and Housing about:**

- ✓ Some incidents during service delivery
- ✓ Some notices to vacate

## **You need to tell the resident's support person about:**

- ✓ Notices to vacate
- ✓ Receiving payment of a security deposit or specific fees

There are rules on how you need to do this. They will differ depending on what you are telling the Regulator about

<https://www.vic.gov.au/supported-residential-services>

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## Who do I report to?

Situation	Regulator	DFFH	Nominated person	Other
An incident during service delivery	✓		✓	
Changes to your organisation and operations	✓			
Medication errors	✓			✓ (health practitioner)
Reportable transactions	✓			
receiving payment of a security deposit, a fee paid in advance, an establishment fee, or a reservation fee held in trust			✓	✓ (financial administrator, if any)
Notices to vacate	✓	✓		
When a resident needs more support than you can provide	✓			

## Case study ... continued

**The resident who was injured and had slurred speech is being treated in hospital.**

- **Page 2 of guidance – severe harm or injury – notifiable**
- **Page 5 of guidance – physical abuse – results in requiring medical treatment at hospital – critical notifiable**

**You have confirmed that you need to tell the Regulator about this incident.**

## Start with our website

Home > Reporting to the Social Services Regulator

# Reporting to the Social Services Regulator

Service providers registered with the Social Services Regulator must report certain incidents that occur during the delivery of social services, and changes to their operations and organisation.

You can find a downloadable guide on our Reporting a notifiable incident webpage



### **Guide to reporting a notifiable incident**

WORD | 163.48 KB

<https://www.vic.gov.au/reporting-social-services-regulator>

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## Reporting to the Social Services Regulator ^

Reporting to the Social Services Regulator

Reporting a notifiable incident

Reporting changes to your organisation and operations

Terms and definitions

Supported Residential Services v



**How do I improve my  
systems?**



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## Case study continued

The injured resident is treated in hospital for minor injuries and returns home to your SRS.

You are relieved they are ok and start thinking about how you can handle similar situations in the future.



# Continuous improvement

## Providers can:

- Draft and regularly review policies and procedures
- Train their staff in their policies and procedures
- Review feedback received from Regulator
- Participate in Community of Practices



# SRS training requirements

## SRS staff must be qualified to deliver safe services to confidently do their job:

- Some staff must have minimum qualifications
- SRS proprietor, personal support coordinator and those in a day-to-day management must undertake mental health training
- There should always be at least one staff member on duty with first aid training who is responsible for providing first-aid assistance.

### Specific requirements in focus

- ✓ A personal support coordinator must do minimum 40 hours training every three years in priority areas approved by the Regulator
- ✓ Staff performing ancillary functions must be appropriately trained and hold necessary qualifications

Training can be completed at any registered training organisation.

[https://www.vic.gov.au/sites/default/files/2024-08/staffing\\_requirements.docx](https://www.vic.gov.au/sites/default/files/2024-08/staffing_requirements.docx)



## Service provider resources

- Regulator guidance
- Get in touch



# Where do you get more information about your requirements?

## Current

- [Our principles and approach to regulation](#)
- [Reporting a notifiable incident](#)
- [Reporting changes to your organisational and operational information](#)
- [Managing residents money](#)
- [Using a residential and services agreement](#)
- [Managing support plans](#)
- [Medication management](#)

## Coming soon

- Notices to vacate
- Fees, charges and security deposits in SRS
- Reporting a notifiable incident checklist

All guidance and information is now live at [www.ssr.vic.gov.au](http://www.ssr.vic.gov.au)



# Getting in touch with the Social Services Regulator

For more information, start with our website:

<https://www.vic.gov.au/social-services-regulator>

- For general enquiries:  
[enquiries@ssr.vic.gov.au](mailto:enquiries@ssr.vic.gov.au)
- For enquiries about registration:  
[registration@ssr.vic.gov.au](mailto:registration@ssr.vic.gov.au)





# Questions

- **Use raise hand function**
- **Please turn on your camera and unmute yourself when it is your turn**
- **Limit questions to two per person to ensure all can participate**
- **Put any additional questions in the chat**
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# Thank you

We appreciate you completing a quick poll to help us improve future sessions

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