

Webinar for supported residential services

10 December 2024

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Director, Social Services Regulation



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



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 <u>Social Services Regulations</u>
 2023 and the <u>Supported Residential</u>
 <u>Services Regulations 2024</u> 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)



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

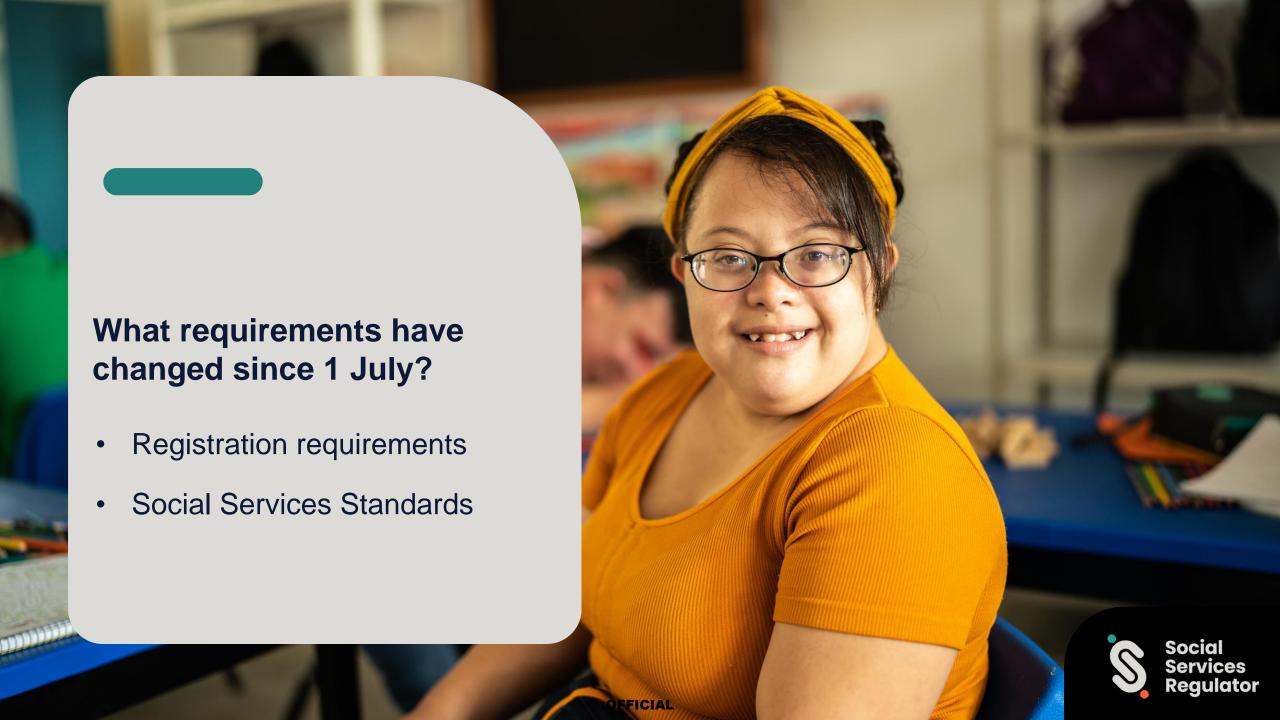


Our priorities

- 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







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



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

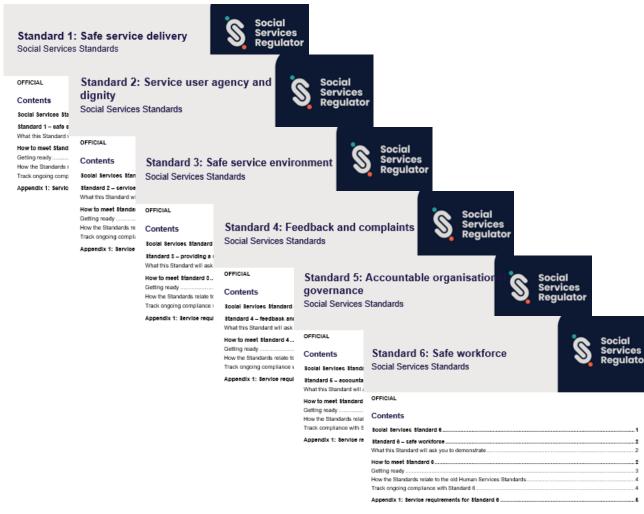
Safe workforce

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

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





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	name date of birth known medication allergies
Prescription	direction, or administration details for each medication name and contact details of the registered health practitioner who prescribed the medication name and contact details of the registered health practitioner who instructed the resident to regularly take any nonprescription medicine
Medication	name of each medication

Managing medication

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

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

Managing resident money

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

Using a Residential and Services Agreement (RSA)

Supported residential service fact sheet



OFFICIAL Contents

About the Social Services Regulator Using a Residential and services agreement
Completing an R\$A
What does an RSA need to include?
How do I change an PSA?

<u>Using a residential service</u> <u>agreement</u>

- 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 writing¹ and include the section of the Act you are issuing the notice under. See **Table 2** for further details on what to include:

Petails to include in a notice to vacate the date when the resident is to leave the SRS the reason the notice is being given, including sufficient detail to support your reasons such as facts, dates and circumstances a statement informing the resident they may appeal the notice to vacate to the Victorian Civil and Administrative Tribunal (VCAT). information about consequences of not meeting requirements outlined in the notice².

a signature and date provided by the SRS provider (or person acting on their behalf).

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

Туре	Description	Your requirements
Reservation fee	A fee to reserve a place at the SRS	You must not accept or request a reservation that exceeds two weeks fees³.
		 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.
		 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.

Fees

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





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



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

<u>Home</u> > Reporting to the Social Services Regulator

Reporting to the Social Services Regulator

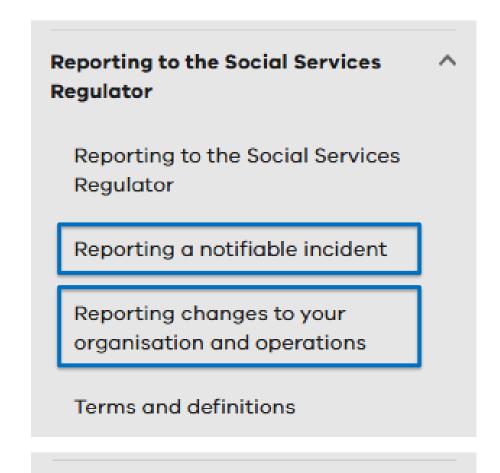
Service providers registered with the Social Services Regulator must report certain incidents that occur during the delivery of social services, and changes to their operations and organisation.

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



<u>Guide to reporting a notifiable incident</u>

WORD I 163.48 KB



Supported Residential Services





How do I improve my systems?



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.





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



Getting in touch with the Social Services Regulator

For more information, start with our website:

https://www.vic.gov.au/social-servicesregulator

- For general enquiries: enquiries@ssr.vic.gov.au
- For enquiries about registration: 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
- We will address any questions we don't get to after the webinar





Thank you

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

We will circulate a copy of this presentation to attendees



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In this presentation, 'Aboriginal' refers to both Aboriginal and Torres Strait Islander people. 'Indigenous' or 'Koori/Koorie' is retained when part of the title of a report, program or quotation.

