

28 August 2009

**Submission to the Department of Health and Ageing, Office of Aged Care Quality and Compliance Review of the Aged Care Complaints Investigations Scheme**

The National LGBT Health Alliance welcomes the Department of Health and Ageing's review of the aged care complaints investigations scheme. We call on the Department to explicitly address the specific needs of lesbian, gay, bisexual, trans and other sexuality, sex and gender diverse people (LGBT) using aged care services in its review.

The National LGBT Health Alliance is a newly formed alliance of organisations across Australia that provide programs, services and research to improve the health and wellbeing of sexuality, sex and gender diverse people.

Research provides evidence that older LGBT Australians experience significant discrimination in aged care (eg Barrett 2008, Human Rights and Equal Opportunity Commission 2007). LGBT people also face barriers to having their complaints appropriately addressed. Too often their expectations of potential discrimination and lack of confidence in the ability of institutions to respond appropriately hinder their access to existing complaints mechanisms.

Please see our attached submission to your Review of Accreditation Process for Residential Aged Care Homes for more detailed information on LGBT people in Australia, their experiences with aged care, and some of the measures we recommend to improve the quality of care provided.

As part of your review and in the course of your further improvement of the complaints investigation scheme, we suggest that you consult specifically with LGBT stakeholders in order to ensure that the needs of these population groups are adequately addressed.

We suggest, for example,

- strengthening measures to ensure confidentiality and protect the privacy of consumers and their families, and communicating this to all potential complainants
- establishing support and advocacy mechanisms appropriate to LGBT people, including resourcing of LGBT community-based advocacy and training of mainstream advocacy providers
- providing training to staff investigating complaints to ensure competence to work with LGBT people and issues appropriately
- improving the availability of information about complaints processes and ensuring that such information clearly communicates to LGBT people that they will be responded to appropriately.

More broadly we recommend that the Department, in consultation with LGBT and other relevant stakeholders, develops and implements

- a plan to transition services to meet their obligations regarding the non-discriminatory treatment of same-sex relationships, and reports annually on progress
- a specific LGBT aged care strategy, that includes resources for advocacy and education in relation to complaints processes.

We would welcome the opportunity to engage with you further in your review and subsequent activities to improve the Aged Care Complaints Investigation Scheme.

Yours sincerely

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