



Secretary

Department of Health & Human Services

50 Lonsdale Street
Melbourne Victoria 3000
Telephone: 1300 650 172
GPO Box 4057
Melbourne Victoria 3001
www.dhhs.vic.gov.au
DX 210081

e4157919

Audrey Jamieson
Coroner
Coroners Court of Victoria
436 Lonsdale Street
MELBOURNE VIC 3000

Dear Coroner Jamieson

I refer to your report of 1 April 2016, Findings without Inquest, including recommendations into the death of Ms Michelle Lorraine Griffin (Court Reference COR2011 1081). In your report, you made a number of recommendations pursuant to section 72(2) of the *Coroners Act 2008 (Vic)* which were relevant to the Department of Health and Human Services (the department).

The department has undertaken a detailed consideration of those recommendations and our response is attached.

Yours sincerely

Kym Peake
Secretary

5/7/2016

Coroner's Recommendation No. 1:

With the view of preventing like circumstances, I recommend that the Department of Health and Human Services and/or other regulatory bodies review or establish guidelines regarding the expected qualifications and/or experience of disability support workers employed to care for clients who require chronic domiciliary non-invasive ventilation.

The Department of Health and Human Services' response:

The Department of Health and Human Services (the department) acknowledges the importance of disability support workers being trained to use the health related equipment needed by an individual with a disability living in the community.

Ensuring disability support workers are trained or have the experience to meet individual client needs is the responsibility of the service provider that employs the workers.

People with a disability in receipt of an individual support package are able to choose their own support provider. The department will amend *The Individual Support Packages for people with a disability Handbook June 2014* used by people with a disability to guide their decision making in relation to employing a specific service provider.

The Handbook includes examples of the types of questions a person with a disability could ask registered and non-registered support providers to assist in making a decision to engage that provider.

The Handbook will be amended to include questions relating to the training provided to ensure disability support workers are competent to use the equipment needed by the person with a disability.

The department will also upload an article on the Funded Agency Channel website on good practice in supporting people with a disability who require health related equipment and or procedures to live in their home.

The article reinforces the responsibility of service providers to ensure that they have policies, processes and systems in place that consider and uphold rights and needs of individual clients, including meeting their health needs. The article also identifies training providers. A targeted mail out will occur to over 300 disability support providers advising of the new article.

Coroner's Recommendation No. 2:

And I further recommend that the Department of Health and Human Services secure funding for the establishment of an education course regarding caring for clients with chronic domiciliary non-invasive ventilation ... The course should cover practical training of patients transfer for NIV- dependent patients as well as simulated of an emergency response to ventilator failure.

The Department of Health and Human Services' response:

The department notes the importance of training support workers.

Staff working in department managed disability accommodation services receive targeted training when working with clients with health conditions that require specific routine actions and procedures or a structured emergency response.

Disability support providers can access training on how to support clients who use ventilators from the Victorian Respiratory Support Service or Skills Training Australia.

Coroner's Recommendation No. 3

And I further recommend that Department of Health and Human Services review the requirements for clinical governance of non -Department of Health and Human Services registered disability service providers, and consider excluding such organisations from providing disability support workers to care for clients who require chronic domiciliary non-invasive ventilation.

The Department of Health and Human Services' response:

The department is unable to implement the Coroner's recommendation as a person with a disability in receipt of an individual support package may choose to engage the services of a non-registered provider.

However, as per response to recommendation 1, the department will amend *The Individual Support Packages for people with a disability Handbook June 2014* used by people with a disability to guide their decision making in relation to employing a specific service provider.

The Handbook will be amended to include questions relating to the training provided to ensure disability support workers are competent regarding the use of equipment needed by the person with a disability.

It should be noted that under the Victorian Quality and Safeguards Working Arrangements for Transition to the National Disability Insurance Scheme (NDIS), any provider who wishes to deliver supports in-scope of Victoria's quality and safeguards arrangements will, from 1 July 2016, need to achieve and maintain status as a Victorian approved NDIS provider. This may include registration under the *Disability Act 2006* (the Act) as a disability service provider for services in scope of the Act.

As part of registration under the Act, disability service providers are required to demonstrate their compliance with the Human Services Standards by undertaking reviews against the standards with an independent review body and achieving and maintaining accreditation. Independent review bodies are required to immediately notify the department if they suspect, have evidence of, or receive a complaint or allegation about, the health, safety, abuse or risk to a person who receives services from a disability service provider, or a disability service provider fails or may fail to meet basic client needs or puts a client at risk of significant harm.

The Victorian Quality and Safeguards Working Arrangements for Transition will be in place from 1 July 2016 to 30 June 2019, or until a nationally consistent framework for quality and safeguards for the NDIS is agreed and implemented.