



Department of Health

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Kev Selvakumar
Coroners Registrar
Coroners Court of Victoria
Level 11
222 Exhibition St
MELBOURNE VIC 3000

Dear Mr Selvakumar

RE: Court reference: COR 2008 002158 AUDREY SKIVERS

I am writing in response to your letter dated 20 November 2012 in relation to the Coroner Heather Spooner's recommendations to the Victorian Department of Health (the department) on the above case.

Ms Svikers was a recipient of in-home services funded under a Commonwealth funded Community Aged Care Package. She was bedridden, a heavy smoker and died in a house fire. It was established that her home did not have a smoke alarm and that she had refused offers to install a smoke alarm. The Coroner directed a copy of her findings to this department because it is also an entity responsible for funding in-home care services pursuant to the Home and Community Care (HACC) Program.

The HACC Program is jointly funded by the Commonwealth and Victorian governments. The Commonwealth has responsibility for national policy development and the state has responsibility for day-to-day administration.

The Department of Health, Ageing and Aged Care is responsible for managing HACC in Victoria in accordance with the national guidelines. HACC funded organisations are responsible for managing and operating their services so as to ensure compliance with HACC policies, quality standards, guidelines and other requirements.

In response to the Coroner's investigation into the death of Ms Svikers, and consequent recommendations, the Commonwealth has provided the department with its communication to the sector in response. The Department of Health has sent the *Industry Feedback Alert: Basic home fire safety* February 1 2013 to all Victorian HACC providers in line with Coroner's direction that the recommendations are distributed to all community care providers.



The department's response to the Coroner's four recommendations is as follows:

Recommendation 1: *That during initial needs assessment, community care providers advise community care clients that it is mandatory for all home in Victoria to have a working smoke alarm*

The department's response: This recommendation has been implemented

Service providers funded by the HACC program are required to carry out initial needs identification for prospective clients. They use the Service Coordination Tool Templates (SCTT) for this purpose. The SCTT 2012 (Department of Health) includes a new question about working smoke alarms in the house. Decision support is also provided which prompts service providers to advise clients to install a smoke alarm if there is not one in the house and to check batteries annually. The Department of Health is responsible for facilitating implementation of SCTT 2012 and this process is currently underway.

The *Occupational Health and Safety Act 2004* under s. 21 states that "an employer must, so far as reasonably practicable, provide and maintain for employees of the employer a working environment that is safe and without risks to health". The Act defines a private home in which an employee is sent to work, is that employee's workplace.

The Victorian Home Care Industry Occupational Health and Safety Guide (Department of Human Services and Victorian WorkCover Authority 2005) provides guidance to organisations on the planning and delivery of in-home services to clients and their carers to achieve a safe and healthy environment for everyone involved. This includes the requirement to carry out a home safety check prior to service commencement. The guide recommends that the safety check include checking for a working smoke alarm

The Department of Health has sent the Commonwealth Industry Feedback Alert *Basic Home Fire Safety* February 1 2013 to all Victorian HACC providers. This alert reiterates the need for community service providers to advise HACC clients that in Victoria it is mandatory for all homes to have a working smoke alarm.

Recommendation 2: *In homes where community care is to be provided and there is no smoke alarm, the installation of a smoke alarm is organised in line with service delivery. In homes where smoke alarms are installed, these are checked by the community care provider to ensure they are in working order.*

The Department's response: The coroner's recommendation is under consideration

Currently many service providers treat the installation of battery smoke alarms as within scope of the Property Maintenance activity for clients who are unable to arrange this for themselves. We have been advised that many local councils offer the installation of battery smoke alarms for clients in this situation. However it unclear if this is currently routine practice across all providers of HACC property maintenance.

Where smoke alarms are installed, providers of HACC funded in-home care and property maintenance promote regular testing and maintaining of smoke alarms through their assessment and care planning processes. If clients require assistance, these providers will check and replace smoke alarm batteries.

The HACC and Assessment Unit, Ageing and Aged Care will consult with service providers, the Municipal Association of Victoria, MFB in the next six months in order to clarify the circumstances in which service providers should either install or facilitate the installation of battery smoke alarms as part of service delivery.

The HACC and Assessment Unit will consider this recommendation and conduct the consultation necessary by 31 July 2013.

Recommendation 3: *That community care providers promote regular testing and maintaining of smoke alarms to the client, their family and/or friends or provide assistance for their clients to test and maintain smoke alarms if required.*

The Department's response: The coroner's recommendation is under consideration

As it is not known if the changing of batteries and installation of battery smoke alarms is currently routine practice across all service providers, the department will consider this recommendation in line with recommendation 2.

The HACC and Assessment Unit will consider this recommendation and conduct the consultation necessary by 31 July 2013.

Recommendation 4: *In homes where the client smokes, community care providers promote the use of high-sided ashtrays or sealed containers to allow for properly discarded smoking materials.*

The Department's response: This recommendation has been implemented

The Emergency planning and home fire safety section of *Strengthening assessment and care planning: a guide for HACC assessment services* (Department of Health, 2010) provides guidance for assessors in regard to promoting a safe home environment for chronic smokers. This includes checking that there are working smoke alarms and promoting the use of heavy, high sided ashtrays.

The following resources support the implementation of these recommendations:

- Victorian Home and Community Care Program Manual (2003) plus amendments/updates
www.health.vic.gov.au/hacc
- *Victorian Home Care Industry Occupational Health and Safety Guide*, October 2005
http://www.health.vic.gov.au/hacc/downloads/pdf/vic_homecare.pdf
- *Strengthening assessment and care planning: a guide for HACC assessment services*, Department of Health 2010
http://www.health.vic.gov.au/hacc/downloads/pdf/assess_guide.pdf
- Victorian Service coordination tools 2012
<http://www.health.vic.gov.au/pcps/sctt.htm>

- Community Care Common Standards: Expected Outcome 1.6 Risk management; Expected Outcome 1.7 Human resource Management; Expected Outcome 1.8 Physical resources

http://www.health.vic.gov.au/hacc/quality_frmwrk/common_standards.htm

If you require any further information please contact Jeannine Jacobson, Manager HACC and Assessment Unit, Ageing and Aged Care on ph: 9096 8545 or email: jeannine.jacobson@health.vic.gov.au.

I hope this response demonstrates the department's concern to reduce risk to clients in response to the tragic death of Ms Svikers.

Yours sincerely



Dr Pradeep Philip
Secretary