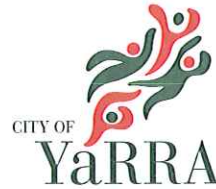


In reply please quote: D14/8989
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31 January 2014

Ms Emma Lindsey
Coroners Registrar
Coroners Court Victoria
Level 11, 222 Exhibition Street
MELBOURNE VIC 3000



Dear Ms Lindsey

Investigation into the death of Felix Hua
Coroner's Reference: 2009/002742

I refer to your letter dated 29 November 2013 in relation to the Coroner's Findings into the death of Felix Hua.

On behalf of Yarra City Council, I submit the following response in regard to each of the Coroner's recommendations.

Coroner's Recommendation

1. *To ensure SCC staff are qualified to complete their role and responsibilities, the organisation review the existing system of governance for human resource procedures and establish checking mechanisms to monitor compliance.*

Yarra City Council Response

Yarra City Council notes the response from Southern Cross Care (SCC) in relation to changes it has already made to improve human resource procedures and establish checking mechanisms to monitor compliance.

Yarra City Council will continue to require SCC to provide a written quarterly report that includes details of CSW qualifications (including confirmation that all CSW's providing respite care have the minimum Certificate 3 level training) and confirmation of mandatory checks (Police and Working with Children Checks).

In addition, Yarra City Council and SCC have agreed to:-

- Include verification of additional Certificate 4 level and / or other disability related training provided and undertaken by CSW's in the quarterly report; and

- Include verification to Yarra City Council on an annual basis that SCC has completed its internal on-site audits (refer page 26, paragraph 8.9 of the Agreed Statement of Facts).

Coroner's Recommendation

2. *To improve a CSW capability to provide respite care to a child with a disability, SCC implement and document an education session in the child's home with the child, their family, the CSW, the SCC Care Coordinator to review the capacity and competency of the CSW to provide safe care according to the HCTS, prior to sole caring sessions commencement.*

Yarra City Council Response

Yarra City Council and SCC have agreed to work together to further consider introduction of an education session – recognising the intention of this recommendation is to further engage the family in communications and review the capacity and competency of the CSW to provide safe care.

Whilst Yarra City Council accepts that this recommendation has merit it believes changes already made go a long way towards achieving the objectives the Coroner had in mind would be achieved by an education session. In particular, Council's existing procedures include:-

- Initial referral to Council for access to services;
- Home based assessment to develop Care Plan in consultation with family;
- Confirmation of Care Plan with family (sign off of Care Plan);
- Hand-over to SCC to identify and match suitable CSW's and possible commencement date of service; and
- Interim steps as the above process is finalised.

The Care Plan now incorporates additional information to improve the safety of care. (Refer page 13, paragraph 7.5 Agreed Statement of Facts). SCC has also implemented a number of changes and procedures to improve the selection of appropriately qualified and skilled CSW's. (Refer page 15, paragraph 8.2 of the Agreed Statement of Facts).

Introduction of such a session would need to balance a number of factors and the practicalities of implementing this recommendation that would need further consideration include:-

- Inclusion of Council's Assessment Officer at the education session to assist with any further clarifications that may arise at this session;
- The approach to including a small team of carers (usually between 1 to 3) identified for regular and back-filling of care being present at the session;
- Within this setting, what is the best approach to "review the capacity and competency of the CSW to provide safe care according to the HCTS", taking account of supervisor

observations and family feedback. How feasible is it to undertake an assessment of a CSW's capacity and competency in this setting?; and

- Consideration of :-
 - Level and nature of disability and care requirements;
 - CALD / diversity background;
 - Family participation; and
 - Other information.
- The timing of such a session (and need for specific personnel to attend) not unreasonably delaying the commencement of care;

Coroner's Recommendation

3. *To increase the safety of a child with a disability from a Culturally and Linguistically Diverse (CALD) background where the family does not speak English as their first language, the education session in the child's home should also include access to an interpreter service to enable discussion of the HCTS by all parties.*

Yarra City Council Response

In the event education sessions are implemented then Yarra City Council is fully supportive of this and it is part of current practice to ensure an interpreter is present at Home Based Assessments with family members and Assessment Officers – and that interpreting services are used when contact is made by or with people from CALD background.

Yarra City Council will require an interpreter to be present at any education sessions for families from CALD background.

Coroner's Recommendation

4. *To increase the safety of a child with a disability from a CALD background where the family does not speak English as their first language, SCC should establish a regular and documented review with the family and the CSW, including access to an interpreter service to assess ongoing appropriateness, satisfaction of care and identification of risks.*

Yarra City Council Response

Yarra City Council is responsible for undertaking initial assessments, reviews and re-assessments of clients. Please refer to Recommendation 5 for our response.

Coroner's Recommendation

5. *To improve the safety of a child with a disability receiving respite care from SCC, the Council should review the Instructions Manual, Client Reviews Work Instructions to include the requirement for a contracted service to initiate a regular review of the care with the family of a child with a disability at least every three months.*

Yarra City Council Response

Yarra City Council is responsible for undertaking initial assessments, reviews and re-assessments of clients. Yarra City Council and SCC have implemented a three monthly review of the care and services provided to a family of a child with a disability.

The current procedure is:-

- Yarra City Council requests feedback from SCC;
- SCC review care and services with carer(s) / file information, including any existing family feedback and provide response to Yarra City Council;
- At the next Hand-over meeting, Yarra City Council staff (including designated Assessment Officer) and SCC review and discuss feedback response – and any further information Yarra City Council may be aware of; and
- Agreement is reached on continuation of care and / or need to undertake re-assessment and if discussion with the family is necessary.

Yarra City Council supports the Coroner's recommendation to also formally include the family of a child with a disability within this three monthly process and Council's Assessment Officer will be responsible for contacting the family of a child with disability and including this feedback in the review process.

Interpreters will be used in communicating with families from CALD background (telephone and at face to face meetings). Council's HACC Respite Care Assessment Child / Young Persons with Disability Procedure will be amended to reflect this change.

It should be noted that this three monthly review does not replace other reactive reviews resulting from ad hoc reports from SCC, family contact or assessment officers – or the annual re-assessment.

Coroner's Recommendation

6. *To increase the safety of a child with a disability with out of home respite sessions as part of the HCTS, the HCTS should include listed sites for visiting that are agreed to by the family, client, SCC Coordinator, CSW and are based on the needs of the child and safety and appropriateness of the environment.*

Yarra City Council Response

This recommendation has been implemented and the Respite Plan includes documentation of listed sites as agreed between the Assessment Officer and family. At Hand-Over this information is provided to SCC who is then responsible for reviewing the information; discussing with the CSW – and advising Yarra City Council if there are concerns in relation to the Care Plan, including the listed sites.


Where a family requests a change of location of the respite care, the CSW is required to notify the SCC team leader and authorisation from Yarra City Council must be received prior to any change being implemented.

Council's policy and procedures will be amended to reflect the changes incorporated in this response.

Council acknowledges the work of the Coroner's Court in this matter and thanks the Coroner Heather Spooner for her thorough assessment of the facts and considered recommendations.

Could you please confirm receipt of this response at your earliest convenience by email to: Adrian.Murphy@yarracity.vic.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Craig Kenny', written over a horizontal line.

Craig Kenny
Director
Community Programs