

**Changes between the Youth and Community Services Regulation 2010 and
Youth and Community Services Amendment (Obligations of Licensees) Regulation 2010
Under the Youth and Community Services Act 1973 (YACS Act)**

<p>Youth and Community Services Amendment (Obligations of Licensees) Regulation 2010 as at May 2010</p> <p>Schedule 1, Part 3 Obligations of Licensees</p>	<p>Youth and Community Services Regulation 2010 following remake as at September 2010</p> <p>Part 2 Obligations of licensees and managers</p>
<p>6 Licensees and licensed managers to comply with certain requirements in this Part</p> <p>(1) This part sets out requirements that licensees and licensed managers of licensed premises are required to comply with in respect of:</p> <p>(a) the standards to be observed, and facilities to be provided, to ensure the health, comfort, safety and proper care of handicapped persons residing at the premises, and</p> <p>(b) the qualifications and experience or persons employed at the premises, and</p> <p>(c) the records that must be made and kept in relation to the premises.</p> <p>(2) A licensee of licensed premises who fails to comply with a requirement contained in this Part with respect to the licensed premises is guilty of an offence. Maximum penalty: \$500.</p> <p>(3) A licensed manager of licensed premises who fails to comply with a requirement contained in clauses 15,16,17,20 or 21 of this Part with respect to the licensed premises is guilty of an offence. Maximum penalty: \$500.</p>	<p>4. Licensees and managers to comply with Part</p> <p>(1) This part sets out requirements that licensees and licensed managers of licensed premises are required to comply with in respect of:</p> <p>(a) the standards to be observed, and facilities to be provided, to ensure the health, comfort, safety and proper care of handicapped persons residing at the premises, and</p> <p>(b) the qualifications and experience or persons employed at the premises, and</p> <p>(c) the records that must be made and kept in relation to the premises.</p> <p>(2) A licensee of licensed premises who fails to comply with a requirement contained in this Part with respect to the licensed premises is guilty of an offence. Maximum penalty: \$500.</p> <p>(3) A licensed manager of licensed premises who fails to comply with a requirement contained in clauses 13, 14, 15, 18 or 19 with respect to the licensed premises is guilty of an offence. Maximum penalty: \$500.</p>
<p>7 Sleeping facilities</p> <p>Each resident must be provided with the following:</p> <p>(a) a bed that is for the use of that resident only and is placed at least 75 centimetres from the side of any other bed and 90 centimetres from the head or foot of any other bed,</p> <p>(b) a mattress that is suited to the bed and is clean and comfortable,</p> <p>(c) bed clothing and linen that is suited to the bed and is clean, in good</p>	<p>5 Sleeping facilities</p> <p>Each resident must be provided with the following:</p> <p>(a) a bed that is for the use of that resident only and is placed at least 75 centimetres from the side of any other bed and 90 centimetres from the head or foot of any other bed,</p> <p>(b) a mattress that is suited to the bed and is clean and comfortable,</p> <p>(c) bed clothing and linen that is suited to the bed and is clean, in</p>

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repair and changed weekly (or more frequently if necessary to maintain cleanliness), (d) if necessary, absorbent or waterproof bed sheets, (e) a securable bed-side locker.	good repair and changed weekly (or more frequently if necessary to maintain cleanliness), (d) if necessary, absorbent or waterproof bed sheets, (e) a bed-side cabinet that can be locked by the resident.
8 Clothing and toiletries Each resident must: (a) have a supply of personal clothing and footwear that is adequate to allow for laundering and repair, and (b) wear clothing and footwear suited to climate and seasonal conditions, and (c) be provided with a toothbrush, toothpaste, soap, toilet paper and a supply of bath towels and face washers that is adequate to allow for laundering.	6 Clothing and toiletries Each resident must: (a) have a supply of personal clothing and footwear that is adequate to allow for laundering and repair, and (b) be encouraged to wear clothing and footwear suited to climate and seasonal conditions, and (c) be provided with a toothbrush, toothpaste, soap, toilet paper and a supply of bath towels and face washers that is adequate to allow for laundering.
10 Recreation Each resident must have access to a television, radio, books, games and a lounge.	8 Recreation Each resident must have access to a television, radio, books, games and a sofa and be given the opportunity to participate in activities in the community.
13 Medication (1) Any medications administered at the licensed premises must be administered in accordance with any relevant instructions from a health professional. (2) Written directions from any doctor who prescribes a resident with psychotropic PRN medication must be obtained. The written directions must be kept with a file relating to the resident and must contain the following details: (a) the circumstances under which the medication may be given to the resident, (b) the procedure to be followed for administration of the	11 Medication (1) Any medications administered at the licensed premises must be administered in accordance with any relevant instructions from a health professional. (2) Written directions from any medical practitioner who prescribes a resident with psychotropic PRN medication must be obtained. The written directions must be kept with a file relating to the resident and must contain the following details: (a) the circumstances under which the medication may be given to the resident, (b) the procedure to be followed for administration of the

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<p>medication,</p> <p>(c) the circumstances under which a further dose may be administered and the required interval between doses,</p> <p>(d) the maximum dose that may be given,</p> <p>(e) the circumstances under which a doctor should be contacted in relation to the administration of the medication.</p> <p>(3) A register of PRN medication administration containing the following information must be maintained:</p> <p>(a) the name and dosage of any PRN medication administered to a resident and the name of that resident,</p> <p>(b) the date and time of administration of the medication,</p> <p>(c) the reason for administration of the medication,</p> <p>(d) the resident's response to administration of the medication,</p> <p>(e) the name and signature of the person who administered the medication.</p>	<p>medication,</p> <p>(c) the circumstances under which a further dose may be administered and the required interval between doses,</p> <p>(d) the maximum dose that may be given,</p> <p>(e) the circumstances under which a medical practitioner should be contacted in relation to the administration of the medication.</p> <p>(3) A register of PRN medication administration containing the following information must be maintained:</p> <p>(a) the name and dosage of any PRN medication administered to a resident and the name of that resident,</p> <p>(b) the date and time of administration of the medication,</p> <p>(c) the reason for administration of the medication,</p> <p>(d) the resident's response to administration of the medication,</p> <p>(e) the name and signature of the person who administered the medication.</p> <p>(4) Subject to the other requirements of this clause, any prescription medication of a resident:</p> <p>(a) must, if it is practicable to do so, be separated by a registered pharmacist into individual doses in a blister pack and be clearly marked so as to identify the resident, and</p> <p>(b) must be administered directly to the resident and a record of that administration be retained.</p> <p>(5) In this clause: <i>PRN medication</i> means medication that is given when required</p>

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	<p>according to the resident's needs.</p>
<p>14 Safety and health</p> <ol style="list-style-type: none"> (1) A register containing the dates of any fire evacuation drills carried out at the licensed premises must be maintained. (2) Each resident must be supplied with such medical (including mental health) and dental treatment as is necessary in a timely manner. (3) Each resident must receive assistance in accessing any health services that the resident reasonably wishes to access. (4) Any medical treatments carried out at the licensed premises must be carried out in accordance with any relevant instructions from a health professional. (5) A resident's next of kin must be notified as soon as possible of any serious accident or illness suffered by the resident. (6) An effective infection control program must be maintained at the licensed premises. (7) There must be a suitable and fully stocked first-aid kit at the licensed premises and at least one member of the staff must hold qualifications (of a type approved by the chief executive) in the administration of first-aid. (8) All first-aid equipment, medicine, drugs and other substances potentially harmful to residents must be stored and secured so as to prevent access by any resident (except in relation to first-aid equipment, medicine, drugs and other substances managed by the resident). All first-aid equipment, medicine, drugs and other substances potentially harmful to residents that are managed by a resident must be secured so as to prevent access by any other 	<p>12 Safety and health</p> <ol style="list-style-type: none"> (1) A register containing the dates of any fire evacuation drills carried out at the licensed premises must be maintained. (2) Each resident must be supplied with such medical (including mental health) and dental treatment as is necessary in a timely manner. (3) Each resident must receive assistance in accessing any health services that the resident requires or wishes to access. (4) Any medical treatments carried out at the licensed premises must be carried out in accordance with any relevant instructions from a health professional. (5) A person responsible for the resident (within the meaning of section 33A of the <i>Guardianship Act 1987</i>) must be notified as soon as possible of any serious accident or illness suffered by the resident. (6) An effective infection control program must be maintained at the licensed premises. (7) There must be a suitable and fully stocked first-aid kit at the licensed premises and at least one member of the staff on duty must hold qualifications (of a type approved by the chief executive) in the administration of first-aid. (8) All first-aid equipment, medicine, drugs and other substances potentially harmful to residents must be stored and secured so as to prevent access by any resident (except in relation to first-aid equipment, medicine, drugs and other substances managed by the resident). All first-aid equipment, medicine, drugs and other substances potentially harmful to residents that are managed by a

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<p>resident.</p> <p>(9) In this clause, health service has the same meaning it has in the <i>Health Administration Act 1982</i>.</p>	<p>resident must be secured so as to prevent access by any other resident.</p> <p>(9) In this clause, health service has the same meaning it has in the <i>Health Administration Act 1982</i>.</p>
<p>15 Residents not to be abused or neglected</p> <p>(1) Residents must not be subject to abuse or neglect.</p> <p>(2) For the purpose of this clause, abuse or neglect, in relation to a resident, means:</p> <p>(a) any act against the resident that constitutes a criminal offence under the <i>Crimes Act 1900</i>,</p> <p>(b) misconduct that could adversely affect the health, comfort, safety or proper care of the resident,</p> <p>(c) derogatory, obscene or threatening conduct or language against, or towards, the resident,</p> <p>(d) unauthorised use of the resident's property,</p> <p>(e) unapproved or excessive physical or chemical restraint techniques used on the resident,</p> <p>(f) failure to ensure the resident has adequate food, clothing, shelter, health care and supervision.</p>	<p>13 Residents not to be abused or neglected</p> <p>(1) Residents must not be subject to abuse or neglect.</p> <p>(2) For the purpose of this clause, abuse or neglect, in relation to a resident, means:</p> <p>(a) any act against the resident that constitutes a criminal offence under the <i>Crimes Act 1900</i>,</p> <p>(b) misconduct that could adversely affect the health, comfort, safety or proper care of the resident,</p> <p>(c) derogatory, obscene or threatening conduct or language against, or towards, the resident,</p> <p>(d) unauthorised use of the resident's property,</p> <p>(e) unlawful or excessive physical or chemical restraint techniques used on the resident,</p> <p>(f) failure to ensure the resident has adequate food, clothing, shelter, health care and supervision.</p>
<p>17 Protection of interests of residents</p> <p>(1) Each resident's need for privacy and confidentiality must be met.</p> <p>(2) Each resident must be given the opportunity to make decisions about daily events and activities that he or she participates in (provided that such decisions do not unreasonably infringe on the health, comfort, safety or proper care of other residents).</p>	<p>15 Protection of interests or residents</p> <p>1) Each resident's need for privacy and confidentiality must be met.</p> <p>(2) Each resident must be given the opportunity to make decisions about daily events and activities that he or she participates in (provided that such decisions do not unreasonably infringe on the health, comfort, safety or proper care of other residents).</p>

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<p>(3) A resident who reasonably wishes to access any support services, advocacy services or other service or information providers (such as legal service providers and disability rights and support organisations) must be assisted (and not obstructed in any way) in accessing those services (whether the service provider consults with the resident at the licensed premises or any other place outside of the licensed premises).</p> <p>(4) Visits to the licensed premises by a resident's family and friends, and communications between a resident and his or her family and friends, must not be obstructed in any way (unless in compliance with a direction from a person who has authority to make such a direction or to protect the health or safety of a resident).</p> <p>(5) Friendships between residents must not be obstructed in any way (unless in compliance with a direction from a person who has authority to make such a direction or to protect the health or safety of a resident).</p> <p>(6) A resident must not be required to undertake tasks of a domestic nature that are included in the resident's board and lodging fee. A resident may, however, volunteer to undertake such tasks.</p>	<p>(3) A resident must be provided with information on support services, advocacy services or other service or information providers (such as legal service providers and disability rights and support organisations).</p> <p>(4) A resident who wishes to access any such service must be assisted (and not obstructed in any way) in accessing those services (whether the service provider consults with the resident at the licensed premises or any other place outside of the licensed premises).</p> <p>(5) Visits to the licensed premises by a resident's family and friends, and communications between a resident and his or her family and friends, must not be obstructed in any way (unless in compliance with a direction from a person who has authority to make such a direction or to protect the health or safety of a resident).</p> <p>(6) Friendships between residents must not be obstructed in any way (unless in compliance with a direction from a person who has authority to make such a direction or to protect the health or safety of a resident).</p> <p>(7) A resident must not be required to undertake tasks of a domestic nature that are included in the resident's board and lodging fee. A resident may, however, volunteer to undertake such tasks.</p>
<p>22 Resident information register</p> <p>A register containing the following information in relation to each resident at the licensed premises must be maintained:</p> <p>(a) name of resident,</p> <p>(b) date of birth of the resident,</p> <p>(c) resident's pensioner concession card number (or number and type</p>	<p>20 Resident information register</p> <p>A register containing the following information in relation to each resident at the licensed premises must be maintained:</p> <p>(a) name of resident,</p> <p>(b) date of birth of the resident,</p> <p>(c) resident's pensioner concession card number (or number and type</p>

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<p>of any other entitlement card issued by the Commonwealth or a State Government),</p> <p>(d) resident's medicare number,</p> <p>(e) name and address of resident's next of kin,</p> <p>(f) name and telephone number of resident's doctor,</p> <p>(g) any serious illnesses suffered by the resident,</p> <p>(h) any sensitivities or allergies to any medication suffered by the resident,</p> <p>(i) any assistance in taking or administering any medication required by the resident,</p> <p>(j) any assistance with personal care needs required by the resident,</p> <p>(k) any special dietary requirements of the resident,</p> <p>(l) the legal guardian or other person responsible for the resident,</p> <p>(m) whether the financial affairs of the resident are managed by the resident or any other person and the name of any person managing the resident's financial affairs.</p>	<p>of any other entitlement card issued by the Commonwealth or a State Government),</p> <p>(d) resident's medicare number,</p> <p>(e) name and address of the person responsible for the resident (within the meaning of section 33A of the <i>Guardianship Act 1987</i>),</p> <p>(f) name and telephone number of resident's doctor,</p> <p>(g) any serious illnesses suffered by the resident,</p> <p>(h) any sensitivities or allergies to any medication suffered by the resident,</p> <p>(i) any assistance in taking or administering any medication required by the resident,</p> <p>(j) any assistance with personal care needs required by the resident,</p> <p>(k) any special dietary requirements of the resident,</p> <p>(l) the legal guardian or other person responsible for the resident,</p> <p>(m) whether the financial affairs of the resident are managed by the resident or any other person and the name of any person managing the resident's financial affairs.</p>