Aged Care Act

Communications Toolkit

Release 1.0

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| New Aged Care Act Overview | Code of Conduct |
| New Regulatory Framework & Registration | Statement of Rights |
| High Quality of Care | Statutory Duties |
| Eligibility |  |

A couple of women looking at a computer

AI-generated content may be incorrect.

This toolkit was produced by the Victorian Sector Support and Development (SSD) partners above to support aged care providers in understanding and communicating key changes under the new Aged Care Act 2024.

30 May 2025 Version 1.0

# Sector Support and Development

The goal of the Sector Support and Development (SSD) program is to support, develop, and strengthen the aged care system by building the capability of providers to navigate reform, deliver high-quality care, and meet evolving legislative and regulatory requirements.

This toolkit has been designed to support aged care providers, including those delivering Commonwealth Home Support Program (CHSP), Home Care Package (HCP) services and Short-Term Restorative Care (STRC) services, to understand and communicate key changes under the new Aged Care Act and Support at Home Program.

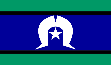
We extend our thanks to the team at Enkindle Consulting for leading the development of this resource. The toolkit reflects their extensive experience in aged care reform, communication strategy, and provider engagement, with a focus on practical, accessible tools that providers can easily adapt for internal use.

This toolkit is made possible through the support of the Victorian SSD partners, ensuring providers are equipped with timely, high-quality information to engage staff, clients, and boards in this period of significant change.

The toolkit is funded by the Australian Government Department of Health, Disability and Ageing. Although funding for this resource has been provided by the Australian Government, the material contained herein does not necessarily represent the views or policies of the Australian Government.

## Acknowledgements

Enkindle Consulting would like to acknowledge its partners in developing this toolkit, including Alicia Eugene of Harvest Consulting and Georgina Gould of Georgina Gould Consulting. Their contributions have been instrumental in creating a practical and accessible resource for aged care providers.



We acknowledge the Aboriginal and Torres Strait Islander Peoples as Australia’s First Nations Peoples and the Traditional Custodians of this land. We recognise their continued connection to land, sea, country, kin and community. We also pay our respects to Elders past, present, and emerging as the custodians of knowledge and lore.

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**Disclaimer**

This resource has been developed for general informational purposes only. While every effort has been made to ensure the accuracy of content at the time of publication, users should refer to the Department of Health, Disability and Ageing and the Aged Care Quality and Safety Commission for the most current regulatory information.

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Enkindle Consulting and our partners do not accept any liability for actions taken based on this information. The toolkit is intended as a supportive guide and does not replace professional or legal advice. It is designed for adaptation by aged care providers to suit individual service contexts.

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# How to use this Toolkit

This toolkit is the **first of three releases** developed to support home care providers in communicating the key changes under the new Aged Care Act and the Support at Home Program. It includes **resources** designed to help your team, clients, and governing bodies better understand the reforms.

Each release covers a curated set of topics. For each topic, you will find **ready-to-use content** tailored for different audiences - **clients, direct care staff, and board members**. Content formats include newsletter articles, client letters, FAQs, scripts, briefing papers, and presentation-ready text.

All content has been created in a **clean, copy-paste-friendly format** to allow easy adaptation into your service’s branded materials. You are encouraged to use the content as the basis for creating your own:

* Client and family letters
* Internal briefings and newsletters
* Fact sheets or FAQs
* Board papers or presentations
* Scripts for team discussions

While every effort has been made to ensure the accuracy and relevance of the content at the time of drafting, this toolkit is for **general informational use** only. Providers should refer to the latest guidance from the Department of Health, Disability and Ageing and the Aged Care Quality and Safety Commission before publishing or distributing modified content. The regulatory environment is evolving rapidly, and new information may become available after release.

Please ensure any adapted materials reflect your organisation’s policies and service model and are reviewed by the appropriate internal staff before use.

# **High Quality Care Board Briefing Paper**

## Purpose

To inform the Board of Directors about the legislated definition of high quality care introduced by the Aged Care Act 2024, its role in the new aged care regulatory framework, and the implications for our organisation’s governance, operations, and compliance with provider registration conditions.

## Executive Summary

From 1 July 2025, the Aged Care Act 2024 introduces a new legal requirement for providers to demonstrate a commitment to delivering high quality care - care that is person-centred, culturally safe, and tailored to the goals and preferences of each individual. This principles-based definition reflects the vision of the Royal Commission into Aged Care Quality and Safety and is designed to evolve over time through continuous improvement.

Continuous improvement towards high quality care is now a condition of registration for providers delivering direct care services (Registration Categories 4–6). It must be embedded in all aspects of care delivery, staff capability, governance oversight, and client engagement. Section 146 of the Act explicitly requires that registered providers show both the capability for, and commitment to, continuous improvement toward high quality care.

The new Act also aligns high quality care with the legislated Statement of Rights and the Strengthened Quality Standards. Boards have a clear obligation to ensure that high quality care is prioritised, resourced, and monitored as a core element of registration and performance.

## Background

From 1 July 2025, the Aged Care Act 2024 will come into effect, establishing a new, aspirational definition of high quality care. This care must put older people first, uphold their rights, and be delivered in a way that is kind, inclusive, safe, and responsive to each individual’s goals and preferences.

The Explanatory Memorandum states that providers are expected to strive toward the delivery of high quality care through meaningful improvements documented in a continuous improvement plan. This reflects Recommendation 13 of the Royal Commission, which called for a shared understanding of what high quality aged care means.

Section 146 (Chapter 3, Part 4, Division 2) of the Act makes it a condition of registration that providers must demonstrate the capability for and commitment to continuous improvement toward the delivery of high quality care.

Under the Aged Care Act 2024, high quality care is defined in detail.

The summary below highlights key elements, with the full legislative definition provided as an attachment to this briefing. High quality care is care that:

* Puts the person first and upholds their Statement of Rights.
* Is tailored to the person’s needs, goals, and preferences.
* Supports the person’s independence, wellbeing, and dignity.
* Is delivered safely, kindly, and consistently by qualified, supported staff.
* Is culturally safe and inclusive, respecting the individual’s identity and background.
* Enables connection to family, community, and culture where desired.
* Emphasises emotional connection, reablement, and personal growth.
* Is supported by continuous improvement and effective organisational systems.

This definition serves as a guiding principle - not a checklist - requiring an organisational culture that adapts, reflects, and improves over time.

## Relevant Registration Categories

Under the new registration model, all providers must register with the Aged Care Quality and Safety Commission (ACQSC) under one or more of 6 service categories. Categories 4 to 6 relate to direct care and are subject to the most stringent regulatory expectations:

* Category 4 – Personal care and support.
* Category 5 – Nursing and transition care.
* Category 6 – Residential care.

For providers in these categories, delivering high quality care is a mandatory condition of registration under the new Aged Care Act 2024.

## Duration of Registration and Extension Authority

Initial provider registration is valid for up to 3 years. However, the ACQSC has discretion to extend a provider’s registration beyond 3 years where they meet certain thresholds, including:

* Demonstrated delivery of high quality care.
* Strong compliance history.
* Commitment to continuous improvement.
* Positive consumer feedback and outcomes.

This is intended to recognise and reward consistently high-performing providers while reducing administrative burden.

## Implications for Our Organisation

(*Placeholder text for provider to add update to Board. Below are examples of implications that can be included)*

Boards are responsible for embedding high quality care into the organisation’s strategy, operations, and culture. Key implications include:

* **Strategic Oversight**

High quality care must be a defined objective in strategic plans, with measurable targets and regular review.

* **Registration Conditions**

Delivering high quality care is a condition of registration under Section 146. This includes maintaining an active Continuous Improvement Plan and providing evidence of improvement over time.

* **Culture and Capability**

Boards must ensure the workforce is supported to deliver care that reflects the values of kindness, autonomy, cultural respect, and continuity. This requires training, coaching, and systems that promote feedback and reflection.

* **Client and Community Engagement**

High quality care includes co-design and responsiveness to client feedback. Boards must ensure these mechanisms are in place and operating effectively.

* **Transparency and Reputation**

The organisation should lead a transparent quality journey - publicly sharing our goals, progress, and improvements to build trust with clients, regulators, and

communities.

* **Risk and Compliance**

Failure to demonstrate high quality care carries reputational, legal, and financial risks. This includes impacts on registration renewal, potential sanctions, or enforcement action.

## Recommendations / Next Steps

*(Placeholder text for provider to add update to Board)*

* **Conduct a Gap Analysis**

Assess current governance, workforce capability, systems, and client feedback against the high quality care definition and strengthened Quality Standards.

* **Endorse and Monitor a Continuous Improvement Plan**

Ensure the organisation has a documented, resourced continuous improvement plan reviewed at least twice annually by the Board.

* **Set a Board-Level KPI for Quality**

Establish key performance indicators linked to care experience, cultural safety, and client-reported outcomes.

* **Promote Transparent Engagement**

Support the executive team to share our commitment to high quality care with staff, clients, and families - building a culture of learning and accountability.

## References

Aged Care Act 2024

[Aged Care Act 2024 - Federal Register of Legislation](https://www.legislation.gov.au/C2024A00104/latest/text)

Aged Care Rules Release 3

[New Aged Care Act Rules consultation – Release 3 – Provider Obligations | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/resources/publications/new-aged-care-act-rules-consultation-release-3-provider-obligations?language=en)

# **High Quality Care Client Newsletter**

From 1 July 2025, a new Aged Care Act will come into effect. One of the most important goals of this law is to make sure that all older Australians receive safe, respectful, and high-quality care - every time, in every setting.

## What Does “High-Quality Care” mean?

The new law sets out what high-quality care means, and what aged care providers like us need to do to meet that standard. That means care that is:

* Tailored to your individual needs, goals, and preferences.
* Consistent and reliable, with staff who know you and understand your care.
* Respectful of your culture, background, and identity.
* Safe, so that you feel supported, protected, valued and heard.

## Putting This Into Action

At [Your Provider Name], we are committed to putting these principles into action:

* Getting to know you as a person, not just your care needs.
* Building strong and trusting relationships between you and your care team.
* Training our staff to provide care that’s respectful, inclusive, and focused on what you want.
* Checking in regularly to make sure you’re happy with your services.

You also have the right to speak up if something doesn’t feel right. The new law strengthens your rights and makes sure providers like us are accountable for the care you receive.

We’ll continue to support you with compassion, respect, and care that puts you first. If you ever want to talk about what high-quality care looks like to you, your care team is always here to listen.

To find out more about high-quality care and your rights, visit:

[www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)

Resources for older people, their families and carers:

[New Aged Care Act resources for older people, their families and carers | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/resources/older-people#:~:text=The%20Aged%20Care%20Act%202024%20plain%20language%20fact,key%20changes%20in%20the%20Act%20for%20older%20people.)

# **High Quality Care Staff Newsletter**

## Delivering High-Quality Care – What It Means Under the New Aged Care Act

From 1 July 2025, the new Aged Care Act will come into effect. One of it’s key goals is to make sure every older person in Australia receives care that is safe, respectful, and high quality - every time, in every setting.

For the first time, the Act sets out a shared definition of high quality care. This means that aged care providers, workers, older people, families, and the community can work from the same understanding of what great care looks like. It’s one of the ways the Act delivers on the Royal Commission’s recommendation for a more person-centred, transparent aged care system.

It also makes continuous improvement a condition of registration - so we must show that we’re always working to strengthen and improve the care we provide.

## What Is “High Quality Care”?

High quality care is not just about clinical outcomes or tasks - it means providing personalised, culturally inclusive care that reflects each person’s values, preferences, background, and identity.

The Act says high quality care should be:

* Led by the person’s needs, goals, and values.
* Delivered with kindness, dignity, and respect.
* Culturally safe and inclusive for all people.
* Timely, consistent, and reliable.
* Supportive of people’s choices, independence, and wellbeing.
* Emotionally and socially safe as well as physically safe.

These expectations reflect the findings of the Royal Commission into Aged Care Quality and Safety and what older Australians have said they value most.

## Your role in Making it Real

As an aged care worker, you are at the heart of delivering high quality care. It’s shown in your tone, your empathy, and how you build trust and relationships with the people you support.

Whether you’re preparing meals, providing clinical support, supporting with cleaning and shopping, or listening to someone’s story - you are shaping their experience of high quality care.

You also help shape quality by:

* Sharing ideas and suggestions for improvement
* Communicating client feedback and concerns
* Speaking up when something could be done better
* Supporting your team and living our values every day

## What We’re Doing As An Organisation

As part of our commitment to high quality care, we will:

* Keep an active Continuous Improvement Plan that tracks progress toward delivering care that meets the new definition.
* Regularly ask for staff and client feedback - and act on it.
* Share our successes and improvements as we go.
* Make sure policies, training, and practice reflect what high quality care really means.

We’ll also provide you with:

* Practical training and refreshers.
* Team discussion tools to reflect on care quality.
* Access to leadership support and coaching.
* Clear examples of what high quality care looks like in your role.

We encourage teams to regularly reflect together:

“What does high quality care look like here, for our clients and for each other?”

## Quality is Everyone’s Business

High quality care is not just a management or compliance issue - it’s about culture. It’s about the way we work together and treat each other, every day. When we all take ownership of improvement, we create a workplace and service that’s safer, stronger, and more rewarding for everyone.

We are looking forward to sharing more guidance, training, and tools as we develop our continuous improvement plan and strategy for high quality care.

## Find Out More

To find out more about high quality care and the new Aged Care Act, visit: [www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)

# **New Aged Care Act Overview Board Briefing Paper**

## Purpose

To inform the Board of Directors about the new regulatory framework and provider registration process introduced by the Aged Care Bill 2024, effective from 1 July 2025, and to outline the implications for our organisation.

## Executive Summary

The New Aged Care Act comes into effect on 1 July 2025, replacing existing legislation and creating a single, rights-based legal framework for all aged care services.

It responds directly to the recommendations of the Royal Commission into Aged Care Quality and Safety and seeks to deliver a safer, fairer, and more accountable aged care system.

The Act places the rights of older people at its centre, introducing a Statement of Rights, and elevating expectations around dignity, respect, cultural safety, client voice and the delivery of high quality care.

According to the Department of Health, Disability and Ageing, it will:

* Outline the rights of older people who are seeking and accessing aged care.
* Create a single entry point, with clear eligibility framework.
* Include a fair, culturally safe single assessment framework.
* Support the delivery of aged care services.
* Establish new system oversight and accountability arrangements.
* Increase provider accountability through a new regulatory model.
* Strengthen the aged care regulator.

The new Act introduces a new provider registration process that will be risk-based, tiered, and service-specific - providers must register for each type of care they intend to deliver (e.g., residential, home & community, nursing, etc), with associated obligations tailored to each service. These changes present significant governance and operational risks if not proactively addressed.

## Background

On 25 November 2024, the Australian Federal Parliament passed the Aged Care Bill 2024. The new Aged Care Bill 2024 obtained Royal Assent on 2 December 2024, and the new Act will come into effect on 1 July 2025.

It will replace previous legislation including:

* Aged Care Act 1998.
* Aged Care (Transitional Provisions) Act 1998.
* Aged Care Quality and Safety Commission Act 2018.

The new Aged Care Rules (subordinate legislation) have been released in draft form. The aged care sector is now awaiting the final version to be passed into law and formally published. These Rules are critical, as they will provide the detailed instructions that explain how the new Aged Care Act will operate. They will outline the specific regulations that apply to our organisation and the requirements we must meet to remain compliant.

The Department is progressively releasing guidance materials and factsheets to support registration preparation. These should be reviewed and actioned at Board level to ensure a compliant and timely transition.

## Key Changes

**1. A Rights-Based Legislative Framework**

The Act enshrines a Statement of Rights that providers must uphold. These rights will underpin regulatory enforcement, complaints processes, and service delivery models. Acting compatibly with the rights-based approach is now a condition of registration (Chapter 1, Part 3, Division 1 of the new Aged Care Act 2024).

**2. New Provider Registration Model**

A single provider registration framework replaces the previous approval and regulation system. Providers must register under one or more of six defined categories depending on the services offered:

1. Home and Community Services.
2. Assistive Technology and Home Modifications.
3. Advisory and Support Services.
4. Personal Care and Care Support.
5. Nursing and Transition Care.
6. Residential Care.

Each category has tailored obligations, including applicable standards from the Strengthened Aged Care Quality Standards. For the 1st July 2025, existing Aged Care providers are being transitioned automatically under a deeming process as part of the Aged Care (Consequential and Transitional Provisions) Act 2024. This process facilitates the transition of existing aged care providers into the new regulatory framework (Chapter 3, Part 3, new Aged Care Act 2024) (DoHAC, 2024c).

The commission has provided draft policy guidance on the re-registration process and associated costs that will need to be included within our organisation’s budgeting and planning processes.

**3. Conditions of Registration and Obligations**

The Act and the associated Aged Care Rules detail the comprehensive set of conditions and obligations for Aged Care Providers that includes both existing and new requirements that covers service delivery, reporting, information provision, code of conduct, provider governance obligations, financial and prudential standards (Chapter 3, Part 4 new Aged Care Act 2024).

**4. Statutory Duties on Providers and Responsible Persons**

The Aged Care Act also introduces two new statutory duties that require registered providers to ensure, so far as is reasonably practicable, that its conduct does not cause adverse effects to the health and safety of individuals to whom it is providing aged care services:

1. A duty on providers to take reasonable steps to prevent harm in individuals receiving care.
2. A duty on responsible persons (e.g. Board Members) to exercise due diligence to ensure the organisation complies with the Act.

Compensation can be sought in the cases of serious failures by registered providers (Chapter 3, Part 5 new Aged Care Act 2024).

**5. Whistleblower Protections**

A condition registration for providers, under the new Act is to introduce a Whistleblower system to encourage reporting of misconduct and ensure accountability in aged care. Providers must establish a compliant whistleblower policy, educate staff, and ensure safe systems for handling disclosures (Chapter 3, part 4, Division 1, Sec 165 new Aged Care Act).

**6. Enhanced Regulatory and Enforcement Powers**

Under the Aged Care Act, the Aged Care Quality and Safety Commission (ACQSC) will have expanded powers to monitor, enforce, and regulate provider compliance. These include unannounced entry and inspection rights, the ability to impose registration conditions, issue banning orders for non-compliant providers or workers, and oversee complaints through a newly appointed independent Complaints Commissioner (Chapter 5, 6 new Aged Care Act).

**7. Strengthened Quality Standards**

The new Strengthened Aged Care Quality Standards will come into effect on the 1st July 2025, aligning with the commencement of the new Aged Care Act. Home Care providers registering under categories 4-6 will be required to demonstrate their conformance with the standards as part of the application for registration, which includes a stronger focus on person-centred care, clinical governance, and continuous improvement (Chapter 3, Part 4,New Aged Care Act).

**8. New Financial and Prudential Oversight**

The new Aged Care Act introduces stronger financial prudential standards that will apply to Home Care Providers operating under Registration Categories 4 – 6, which sets out minimum requirements for good financial and prudential management (Chapter 3, Part 4, new Aged Care Act 2024).

**9. New Funding Model and Support at Home**

The new Support at Home Program will replace the existing Home Care Package and the Short Term Restorative Care programs. This includes major changes to the funding arrangements, claiming and the older persons ability to accumulate and retain unspent funds (Chapter 4, Aged Care Act 2024).

**10. A new client contribution framework for Support at Home**

Alongside the introduction of Support at Home, a new client contribution framework will apply, with a focus on means-tested co-contributions for non-clinical care services. New hardship measures will also be implemented and a ‘no worse off’ principle for older people who were in the system prior to 12 September 2024 to ensure they are not disadvantaged because of the changes (Chapter 4, Part 3 of the new Aged Care Act).

## Risk Considerations

*(Placeholder text for provider to add update to Board)*

Some examples of risks that can be included:

1. Compressed Implementation Timeline: The Act’s commencement date of 1 July 2025 presents a tight timeframe to implement changes especially as the subordinate legislation (Aged Care Rules) remains in draft.
2. Increased Compliance Costs: The cost to implement (updating system, processes, communication and training), and remain compliant with the new regulatory framework, particularly in relation to record keeping, provision of information and reporting.
3. Resource Allocation Challenges: The simultaneous implementation of the Support at Home Program and strengthened Quality Standards is straining already business managers and staff.
4. Risk of Non-Compliance Affecting Registration: Failure to meet the new standards and obligations could impact the organisation’s registration status, impacting ability to deliver services.
5. Governance and Compliance Failures: The increased governance requirements could result in significant penalties and reputational damage.
6. Workforce Readiness Gaps: Ensuring that staff and subcontractors are adequately trained and prepared for the changes.
7. Inadequate Communication with Clients and Families: Lack of resources to ensure transparent and effective communication. Having these strategies in place are essential to manage expectations and maintain trust during the transition.
8. Increased Liability for Directors and responsible persons: The Act introduces stricter accountability measures, potentially exposing directors and responsible persons to greater personal liability risks.
9. Insurance Coverage Concerns: Changes in risk profiles may affect the availability, cost or terms of Directors & Officers (D&O) insurance coverage.

## Current Implementation Status

*(Placeholder text for provider to add update to Board)*

Some recommended Actions / Next Steps:

* Undertaking a Gap Analysis against new obligations and requirements under the Aged Care Act.
* Establishing a Board Working Group to prepare for enhanced Board duties and regulatory expectations.
* Developing a Transition Implementation Plan focused on the organisation-wide implementation of the new Aged Care Act regulatory framework.
* Stakeholder Communication and Training Plans.
* Scheduling Board Training on the new statutory duties, including due diligence expectations under civil penalty provisions.

## References

Aged Care Act 2024

[Aged Care Act 2024 - Federal Register of Legislation](https://www.legislation.gov.au/C2024A00104/latest/text)

Aged Care Act Rules Consultation

[Consultation on the new Aged Care Act | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/consultation?language=en)

About the new Aged Care Act

[About the new rights-based Aged Care Act | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/about)

Prepare for the new Aged Care Act

[Prepare for the new Aged Care Act | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/prepare)

# **New Aged Care Act Overview Client Newsletter**

## A New Aged Care Law is Coming – What You Need to Know

We want to let you know that a new Aged Care Act will begin on 1 July 2025. This is part of the Australian Government’s plan to make aged care services better for older people across the country.

The new law is designed to protect your rights and make sure your care is safe, high quality, and focused on your individual needs. According to the Department of Health, Disability and Ageing, the new law will:

* Clearly explain your rights when using aged care services.
* Create a simpler, fairer system to access care.
* Make assessments more respectful and culturally safe.
* Help us deliver better care and services.
* Improve how the whole system is monitored and managed.
* Make providers like us more accountable for the care we give.
* Strengthen the role of the aged care regulator.

## What’s Changing?

Some of the key changes you should know about include:

* A new **Statement of Rights** to explain what you can expect when using Government-funded aged care.
* **Stronger Quality Standards** to make sure your care is safe, high-quality, and tailored to your needs. You’ll be more involved in planning your care.
* **More protection when speaking up** – if you report poor care or raise a concern, you’ll be protected from unfair treatment.
* **The right to have someone support you** during care conversations or decisions will be formally recognised.
* A new **independent Complaints Commissioner** will make sure complaints are handled clearly and quickly.
* A new **Support at Home Program** replacing the current Home Care Package Program — we’ll share more about that in an upcoming newsletter article.
* A **new funding model** will be introduced for Support at Home. Some people may be asked to contribute money toward non-clinical care, based on their financial means. There will also be hardship measures, and a rule to make sure those who were in the system before 12 September 2024 are “no worse off”.

## What Do You Need to Do?

You don’t need to do anything at this stage. As your aged care provider, we’re here to guide you through these changes. We will continue to share information with you, and our staff will be there to explain what it means for you and answer any questions.

If you’d like to read more, you can visit the Department of Health, Disability and Ageing website for trusted, easy-to-understand information: [www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)

Resources for older people, their families and carers:

[New Aged Care Act resources for older people, their families and carers | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/resources/older-people#:~:text=The%20Aged%20Care%20Act%202024%20plain%20language%20fact,key%20changes%20in%20the%20Act%20for%20older%20people.)

Please reach out to our team at any time if you want to talk about these changes - **we’re here to help.**

# **New Aged Care Act Overview Staff Newsletter**

## A New Aged Care Act Commences on 1st July 2025 – What Does This Mean for our Organisation?

The New Aged Care Act begins 1 July 2025, strengthening the rights, safety, and wellbeing of older Australians.

The current Aged Care Act is a provider-centred model, structured around how aged care service providers receive and administer funding. However, the Royal Commission into Aged Care Quality and Safety found that this model was no longer fit for purpose. In response, the Government has developed a new Act that shifts the focus to a person-centred model - one that places older people and their rights at the centre of aged care.

The new law is designed to strengthen the rights, safety, and wellbeing of older people receiving aged care.

## What’s Changing?

Here are some of the key areas of change under the new Aged Care Act:

* **A new Statement of Rights**

Older people accessing Government-funded aged care services will be supported by a new comprehensive Statement of Rights that replaces the current Aged Care Charter of Rights. Setting clear expectations around decision making, dignity, respect, safety, choice, independence, inclusion, and the right to express concerns. Our organisation will need to ensure all services are compatible with these rights, and that our staff reflect them in everyday practice.

* **Strengthened Quality Care Standards**

This new set of updated quality standards aim to ensure older people are actively involved in planning and managing their care. The standards place a strong focus on high-quality and safe care tailored to each person’s unique needs, culture and preferences.

* **Supported Decision Making**

A new process to enable older people to nominate and register one or more people of their choice to assist and support them to make and communicate their decisions and wishes, if they want or need this support. They will be called Registered Supporters. Registered supporters also have duties they must uphold including to act in line with the older person’s wishes and preferences.

* **Greater protection for people to speak up**

A new Whistleblower Protection Policy, ensuring older people and their supporters are supported when raising concerns or reporting poor care or support. These protections mean people can speak up without fear of reprisal, bullying, or discrimination – if you report poor care or raise a concern, you’ll be protected from unfair treatment.

* **Appointment of an independent Complaints Commissioner**

The Aged Care Quality and Safety Commission is establishing a new Complaints Commissioner, to help ensure complaints are handled transparently and in a timely manner by the Aged Care Quality and Safety Commission.

* **Introduction of the Support at Home Program**

The new Support at Home Program will replace the existing Home Care Package and Short Term Restorative Care Programs. We will provide more information on this program in upcoming communication.

* **A new funding model with means-tested contributions**

A new funding model for the Support at Home Program that will require people to make means-tested contributions for their non-clinical care. New hardship measures will also be implemented and a “no worse off” principle for older people who were in the system before 12 September 2024 to ensure they are not disadvantaged because of the changes.

## What This Means for You?

Overall, the new Act introduces clearer responsibilities for Home Care providers, boards, and frontline staff, with a strong focus on person-centred care.

The Aged Care Code of Conduct will apply to all aged care organisations across the sector. It sets out clear standards for behaviour, respect, and accountability, and helps guide how we care for and support older people every day.

In the lead-up to 1 July 2025, staff will be supported through:

* Updated training and tools to help everyone feel confident in delivering care that meets the new standards.
* A stronger focus on clear communication and safe reporting with better protections when raising concerns or giving feedback.
* A shared responsibility to make sure our services reflect the new Statement of Rights and are truly person-centred.

While our Boards and managers are responsible for overall compliance, it’s the everyday work of our staff - how we provide care, listen, and support people - that will bring these changes to life.

Our goal is to make sure everyone feels informed, supported, and ready for what’s ahead.

If you’d like to read more, you can visit the Department of Health, Disability and Ageing website for trusted, easy-to-understand information: [www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)

# **New Aged Care Act Overview Staff Script & FAQ**

**A new law is coming soon**

The new Aged Care Act will start on 1 July 2025. It’s part of a national plan to improve aged care in Australia.

**Your rights are at the centre**

The new law focuses on your rights - making sure your care is safe, respectful, high quality, and tailored to your needs.

**A new Statement of Rights**

We will give you a copy and explain the new Statement of Rights that clearly sets out what you can expect from aged care services - things like dignity, safety, choice, and being listened to.

**Stronger standards and more protection**

The rules that providers and staff must follow are being strengthened - including better protection when you speak up or raise concerns.

**New support programs and funding changes**

Some programs will be updated, like the new Support at Home Program (replacing Home Care Packages), and there will be a new way of working out who contributes to the cost of care.

*(Note: If you started care before 12 September 2024, the law says you won’t be worse off. Which means you will not be paying any more for your care and service than what you are paying now).*

**What does this mean for you?**

Right now, you don’t need to do anything. We’ll continue to provide your care, and we’re here to answer any questions you may have.

**We’re here to help**

If you’d like to know more, we can give you a simple fact sheet or show you where to find easy-to-read information on the Department of Health, Disability and Ageing website

[www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)

## FAQ – What Clients Need to Know About the New Aged Care Act

**What is the New Aged Care Act?**

It’s a new national law that will start on **1 July 2025**. It’s part of a plan to make aged care safer, fairer, and more focused on older people’s needs and rights.

It will also introduce the new Support at Home Program, which will replace the current Home Care Package and Short Term Restorative Care Programs.

**Why is the aged care system changing?**

The Royal Commission into Aged Care showed that the current system wasn’t working as well as it should. This new law shifts the focus from how providers are funded, to how older people are cared for - putting **your wellbeing, safety, and choices at the centre**.

**What are the main changes for older people?**

You’ll have a new Statement of Rights, better information about your care, and stronger protections if something goes wrong. The goal is to ensure you feel respected, safe, and in control of your care.

The new Act also introduces the Support at Home Program, which will replace the Home Care Packages Program and Short Term Restorative Care Program from 1 July 2025, and the CHSP Program no earlier than 1 July 2027.

**What are the Key Elements of the Support at Home Program?**

Some of the key elements will include:

* A streamlined Assessment process to access aged care services.
* Upfront support to maintain independence, such as assistive technology and home modifications.
* New classification and budget levels to better meet assessed needs.
* An approved list of services you will receive, with the ability to change the mix of services from the list at any time with your provider.
* Access to new pathways for restorative care and end-of-life care (based on assessed needs).
* Participant contributions that will be set by the Government (noting older people approved for care prior to 12/9/2024 will be no worse off).
* There’ll also be a new funding model — some people may contribute to the cost of non-clinical care depending on their financial situation. But there are hardship protections, and if you were already receiving care before **12 September 2024**, the Government says you’ll be no worse off.

**What does it mean that the Act is ‘rights-based’?**

* It means **your rights come first**. The Act puts your rights at the centre of everything.
* The whole system is changing to make sure you’re treated with dignity, your care is culturally safe, and your voice is heard.
* If something goes wrong, or you need help, you have the right to speak up - and to be protected when you do.
* It introduces a new Statement of Rights which outlines your rights in relation to Government funded aged care services.

**Will I have to do anything?**

* No. You don’t need to take any action.
* We’re preparing for the changes, and we’ll keep you informed. If anything comes up that affects you directly, we’ll have a conversation and explain everything clearly.

**Where can I read more about the changes?**

* If you’d like to read more, I can give you a fact sheet, or we can show you where to find simple, trusted info on the Department of Health, Disability and Ageing website.
* Here’s the link if you want it: [www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)
* There are also printed and Easy Read resources available.

**What if I have more questions or concerns?**

* You can speak to any staff member or contact the Aged Care Quality and Safety Commission. Your right to speak up and be heard is protected under the new Act.

*This FAQ covers the overall New Aged Care Act. More detailed information about how the Act relates to the Support at Home Program - including services, eligibility and individual budgets - will be provided separately in upcoming fact sheets and client communications.*

# **Statement of Rights Board Briefing Paper**

## Purpose

To inform the Board of Directors about the new Statement of Rights introduced by the Aged Care Act 2024, its significance in the aged care sector, and the implications for our organisation’s governance, operations and compliance.

## Executive Summary

On 1 July 2025, the Aged Care Act 2024 comes into force, replacing the Aged Care Act 1997 and its related legislation. It introduces a legislated Statement of Rights for everyone receiving Government-funded aged care, superseding the existing Charter of Aged Care Rights. Under this rights-based framework, a new regulatory model will drive improvements in quality, safety and accountability across the sector.

The Act enshrines a Statement of Rights that providers must uphold. These rights will underpin regulatory enforcement, complaints processes, and service delivery models. Acting compatibly with the rights-based approach is now a condition of provider registration (Chapter 1, Part 3, Division 1 of the new Aged Care Act 2024).

## Background

The Statement of Rights is a key reform arising from the Royal Commission into Aged Care Quality and Safety and reflects a fundamental shift toward a rights-based, person-centred aged care system.

The rights include:

* Clients having the right to make their own decisions.
* These decisions are accepted, respected and supported.
* Receiving information and support to help make decisions.
* Communicating their wishes, needs and preferences.
* Feeling safe, supported and respected.
* Having their identity, culture, preferences and privacy recognised.
* Staying connected with their community.

The Statement of Rights forms part of a provider’s conditions of registration, establishing clear expectations that providers embed practices to act in accordance with those rights. This ensures the rights of every person receiving aged care services are upheld and fully integrated into the provider’s day-to-day operations.

To meet our responsibilities under the Aged Care Act 2024, we must do more than simply share the Statement of Rights - we must live it. This means making sure the rights of older people are understood, respected, and reflected in everything we do. As a provider, we are expected to:

* Embed the Statement of Rights in our governance frameworks, policies, and daily decision-making – ensuring our systems, leadership, and actions are all aligned with a rights-based approach.
* Support it through staff training and organisational culture – so that every team member knows what the rights mean and how to uphold them in everyday practice.
* Reflect the Statement in client onboarding, communication, and feedback systems – making it visible, understandable, and meaningful for the people we support and their families.
* Monitor it through complaints, incident management, and quality reporting – using our systems to track whether rights are being upheld and identify areas for improvement.

The Statement of Rights is not just a compliance requirement - it is a strategic opportunity to build trust, promote inclusion, and lead a cultural shift toward care that upholds autonomy, respect, and client voice.

Boards have a governance obligation to ensure the organisation is ready to meet the new rights-based expectations, including alignment with other elements of the Aged Care Act (e.g. Code of Conduct, Quality Standards, registration).

The Department of Health, Disability and Ageing has released supporting materials, including factsheets, Easy Read versions, FAQs, and implementation guidance, to assist providers in communicating these rights to clients and staff.

Failure to properly implement and uphold the Statement of Rights may expose the organisation to compliance risks, including complaints, regulatory action, reputational damage, and breaches of our condition of registration. It will be important for our organisation to ensure the rights are fully integrated into quality, safety, and risk management systems to meet obligations under the Aged Care Act 2024.

## Statement of Rights Overview

The Statement of Rights is a central feature of the Aged Care Act 2024, outlining the rights of individuals accessing Government-funded aged care services. It replaces the previous Charter of Aged Care Rights and is designed to ensure that older people are at the centre of the aged care system.

Key rights include:

* **Independence and Autonomy**: The right to make decisions about one’s own life, including care choices, financial matters, and personal possessions - supported where needed, and with respect for personal risk-taking.
* **Equitable Access**: The right to fair, culturally safe, and accessible aged care services, including appropriate assessments and access to palliative and end-of-life care.
* **Quality and Safe Care**: The right to receive care that is safe, non-discriminatory, and respectful of identity, culture, spirituality, and diversity, delivered by qualified staff.
* **Respect for Privacy and Information**: The right to have personal privacy respected, personal information protected, and access to clear information about care and rights.
* **Person-Centred Communication**: The right to receive information in an understandable way, communicate in a preferred language or method, and express concerns without fear of reprisal.
* **Support and Advocacy**: The right to be supported by an advocate or chosen person in understanding rights, making decisions, and lodging complaints.
* **Connection and Community**: The right to stay connected with significant people, pets, and community, including cultural, spiritual, and social activities.

## Implications for Our Organisation

*(Placeholder text for provider to add update to Board).*

Some examples of implications that can be included:

**1. Governance and Compliance:**

* Ensure that organisational policies and practices and governance processes align with the Statement of Rights.
* Compliance with the Statement is a condition for provider registration under the new regulatory framework.
* A gap analysis will be essential to assess how well our current systems align, identify strengths, and highlight areas for improvement.

**2. Staff Training and Awareness:**

* Staff must be educated on the new rights and trained to uphold them in daily care practices and decision making.
* Induction, refresher training, and role-specific resources will need to reflect the rights-based approach.
* Access Government resources are available to support this rollout.

**3. Client Engagement:**

* We must provide all existing clients with a copy of the new Statement of Rights and explain it clearly—this will have resource and workforce implications.
* Mechanisms must be in place to address complaints and feedback effectively and without reprisal.

**4. Policy Development:**

* Existing policies should be reviewed and updated to reflect the new Statement of Rights and conditions of registration.
* New policies may be required to address areas such as supported decision-making, cultural safety and client communication.
* Embedding the Statement of Rights into documentation, practice, culture and leadership.

## Recommendations / Next Steps

*(Placeholder text for provider to add update to Board).*

* **Conduct a Gap Analysis**: Assess how we currently demonstrate compatibility with the rights, what improvements we need to make, and how we will monitor our compatibility.
* **Audit & Update Policies**: Review and update all relevant policies to ensure alignment with the Statement of Rights and obligations.
* **Embed Rights into Operations**: Integrate the Statement of Rights into onboarding, care planning, service delivery, communications and feedback processes.
* **Deliver Workforce Training**: Develop and deliver training sessions to educate staff, volunteers and subcontractors on the new rights and their responsibilities.
* **Communicate with clients**: Provide all existing clients with the new Statement of Rights and ensure it is clearly explained – allowing for questions and discussion. Providing guidance, scripts and FAQs to staff to support conversations.
* **Monitor Compatibility**: Establish processes to monitor how well the organisation is acting compatibly with the Statement of Rights. Use client feedback, complaints data, audits, and incident reports to support continuous improvement.
* **Engage Clients in Monitoring**: Involve clients, carers, and advocates in evaluating how well rights are being upheld and integrated into care.

## References

Aged Care Act 2024

[Aged Care Act 2024 - Federal Register of Legislation](https://www.legislation.gov.au/C2024A00104/latest/text)

Aged Care Act Rules Consultation

[Consultation on the new Aged Care Act | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/consultation?language=en)

About the new Aged Care Act

[About the new rights-based Aged Care Act | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/about)

Prepare for the new Aged Care Act

[Prepare for the new Aged Care Act | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/prepare)

Resources for Older, their families and carers

[New Aged Care Act resources for older people, their families and carers | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/resources/older-people#:~:text=The%20Aged%20Care%20Act%202024%20plain%20language%20fact,key%20changes%20in%20the%20Act%20for%20older%20people.)

# **Statement of Rights Clients Newsletter**

## A New Statement of Rights – What You Need to Know

From 1 July 2025, a new Aged Care Act will come into effect. As part of this change, all older people receiving aged care will receive a new Statement of Rights.

This Statement of Rights builds on -but is stronger and more detailed than - the current Charter of Aged Care Rights. It puts your rights at the heart of the aged care system, with clear protections written into law.

These rights are designed to make sure your care is safe, respectful, and focused on your needs and choices.

## What Are The New Rights?

Your rights include:

• Making your own decisions about your own life.

• Having your decisions not just accepted, but respected.

• Getting information and support to help you make decisions.

• Communicating your wishes, needs and preferences.

• Feeling safe, supported, and respected.

• Having your culture and identity respected.

• Staying connected with your community.

## Knowing How to Make a Complaint or Speak Up if Something Isn’t Right

If you ever feel like your rights aren’t being respected, you can talk to our staff, a family member or other trusted person. You can also reach out to the Aged Care Quality and Safety Commission for support.

Complaints about your rights not being respected can be made to the new Complaints Commissioner.

## What Do You Need to Do?

You don’t need to do anything right now – we will share your Statement of Rights with you and explain it clearly.

As your provider, our care team is here to help you understand what these rights mean in your day-to-day care and to make sure they’re upheld.

If you’d like to read more, you can visit the Department of Health, Disability and Ageing website for trusted, easy-to-understand information:

Resources for Older, their families and carers

[New Aged Care Act resources for older people, their families and carers | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/resources/older-people#:~:text=The%20Aged%20Care%20Act%202024%20plain%20language%20fact,key%20changes%20in%20the%20Act%20for%20older%20people.)

# **Statement of Rights Staff Newsletter**

## A New Statement of Rights

From 1 July 2025, the new Aged Care Act will take effect, bringing with it a significant shift in how aged care is delivered—and a renewed focus on the rights of the people we support.

A key part of this change is the introduction of a new Statement of Rights, which applies to anyone receiving Government-funded aged care services. It replaces the current Charter of Aged Care Rights and reflects a more robust, rights-based and person-centred care system.

## What’s Different?

The Statement sets out, in clear and inclusive language, what every person receiving care can expect. This includes:

* Clients having the right to make their own decisions.
* These decisions are accepted, respected and supported.
* Receiving information and support to help make decisions.
* Communicating their wishes, needs and preferences.
* Feeling safe, supported and respected.
* Having their identity, culture, preferences and privacy recognised.
* Staying connected with their community.

## Why Does This Matter?

Our organisation will need to ensure all services are compatible with these rights, and that our staff reflect them in everyday practice. Acting compatibly with these rights is not just a regulatory requirement - it’s central to the way we provide high quality care and build trusted, respectful relationships with clients and their families.

When rights are respected, people feel heard, valued and safe. That’s when care becomes truly person-centred.

Every staff member, volunteer and manager—regardless of role—has a part to play in upholding these rights. This could mean:

* Actively involving clients in their care planning and documenting their story, preferences and wishes.
* Respecting a client’s cultural practices or language preferences.
* Speaking up if you notice someone’s privacy is being overlooked.
* Supporting a client who expresses that their rights may not have been upheld.

You don’t need to memorise the Statement. But you should:

* Understand the principles behind it.
* Know how to talk about rights with clients and families.
* Know where to go for support or guidance.

The new Statement is also about clarity and consistency - it gives staff a common language to explain rights to clients and their families and ensures a shared understanding across the sector.

## What Support Is Available?

Staff will be supported through training, tools, and clear guidance to understand and apply these rights in practice. This includes how to respond if a client feels their rights haven’t been respected.

We’ll be providing (delete as relevant to provider):

* Training to help you understand and apply the Statement of Rights.
* Practical tools and resources—including quick-reference guides and conversation tips.
* Clear internal pathways for seeking advice, raising concerns, or accessing further support.

You can also access sector information via the Department of Health, Disability and Ageing:

* About the new Aged Care Act: [About the new rights-based Aged Care Act | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/about)
* Prepare for the new Aged Care Act: [Prepare for the new Aged Care Act | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/prepare)

Together, we’re working to create an aged care system that is fair, transparent, and led by respect for the people we support.

# **Statement of Rights Staff Script**

## Introducing the New Statement of Rights

From 1 July 2025, a new Aged Care Act will come into effect. One of the most important changes is the introduction of a new Statement of Rights for everyone receiving aged care.

This new Statement replaces the current Charter of Aged Care Rights. It’s clearer, stronger, and built into law. It’s designed to make sure aged care is respectful, fair, and focused on your needs and preferences.

## Why Is This Changing?

The Statement of Rights is part of the Government’s response to the Royal Commission into Aged Care Quality and Safety. It’s about building a better aged care system - one that protects people’s rights, supports dignity, and makes it easier to speak up if something doesn’t feel right**.**

## What Your Rights Include

Your rights include:

* Making your own decisions about your life.
* Having your choices not just accepted, but respected.
* Getting information and support to help you make informed decisions.
* Telling us what matters to you - your wishes, needs, and preferences.
* Feeling safe, supported, and treated with respect.
* Having your culture, identity, and background recognised and valued.
* Staying connected to your friends, family, and community.
* Knowing how to make a complaint and feeling safe to speak up.

## What This Means for You

This new approach recognises that everyone’s story, background, and culture matters. It’s about making sure care feels safe, personal, and right for each individual.

You’ll receive a copy of the Statement of Rights soon. You don’t need to do anything right now - but we’re here to explain what it means for you and answer any questions you may have.

## Where to Get Support

If you’re ever unsure about something, or feel your rights aren’t being respected, you can:

* Speak to any staff member.
* Talk to someone you trust.
* Contact the Aged Care Quality and Safety Commission on 1800 951 822.
* Call the Older Persons Advocacy Network (OPAN) on 1800 700 600 - they offer free and confidential support.

You can also read more about your rights, including Easy Read and translated versions, at:

* Resources for older people, their families and carers: [New Aged Care Act resources for older people, their families and carers | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/resources/older-people#:~:text=The%20Aged%20Care%20Act%202024%20plain%20language%20fact,key%20changes%20in%20the%20Act%20for%20older%20people.)

# **Statement of Rights You Questions Answered**

## Your Questions Answered - A New Statement of Rights (from 1 July 2025)

## What Is the Statement of Rights?

It’s a list of legal rights that all individuals receiving aged care will have.

It tells you what you can expect from your care - like being treated with dignity, being listened to, and feeling safe.

## How is This Different from the Charter of Aged Care Rights?

The Statement of Rights is part of the new law (from 1 July 2025). It’s stronger and clearer than the current Charter, and it applies to all aged care services under one consistent set of rules.

## What Rights Will I Have Under the New Statement of Rights?

The Statement of Rights aims to put you at the centre of your own care. You will have rights to:

* Make decisions about your own life and about the services you receive and who provides them.
* Be treated with dignity and respect.
* Have services delivered by workers with the right training, skills and experience.
* Have your decisions not only accepted, but respected.
* Access information about your care and services in a way that suits your needs.
* Communicate your wishes, needs and preferences.
* Get the right kind of care you need, when you need it. This includes palliative and end-of-life care.
* Feel safe.
* Have your unique culture and identity respected.
* Have your personal information and privacy protected.
* Stay connected with the people who are important to you, your community and your pets.
* Give feedback on your care without fear of being punished or treated unfairly.

## Will My Care Change?

Your care will continue - but now, your rights will be even more protected. Care must be respectful, personalised, and based on what’s important to you.

## Do I Need to Do Anything?

No. [We – insert name of provider] will share your Statement of Rights with you and help explain what it means. You’ll be supported every step of the way.

## Can I Ask Questions About My Rights?

Yes, always. You can talk to any staff member, a family member, or someone you trust. They can help explain your rights or support you to speak up if something’s not right.

## What If I Feel My Rights Aren’t Being Respected?

You have the right to speak up. You can talk to your provider, make a complaint, or contact the Aged Care Quality and Safety Commission for help by calling 1800 951 822. If you ever need support to make a complaint or find information, you can also call the Older Persons Advocacy Network (OPAN) on 1800 700 600.

## Is The Statement of Rights Available in Other Languages or Formats?

Yes. There are Easy Read versions and the Government is developing translated versions. Just ask us if you need help accessing these versions, or visit the Department of Health, Disability and Ageing website.

## Where Can I Learn More?

You can visit: [www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)

Resources for older people, their families and carers: [New Aged Care Act resources for older people, their families and carers | Australian Government Department of Health, Disability and Ageing](https://www.health.gov.au/our-work/aged-care-act/resources/older-people#:~:text=The%20Aged%20Care%20Act%202024%20plain%20language%20fact,key%20changes%20in%20the%20Act%20for%20older%20people.)

Or contact our office and we can provide you a copy of the Statement of Rights and related fact sheets.

# **Statement of Right Client Letter**

## Cover Letter: Supplying New Statement of Rights

Dear [Client Name],

From 1 July 2025, a new Aged Care Act will come into effect across Australia. One of the key changes in this reform is the introduction of a new Statement of Rights for all people receiving aged care services.

We’re pleased to enclose your copy of the Statement of Rights, as required under the new legislation. But more importantly, we’re sharing it with you because we believe your rights deserve to be clearly understood, respected, and upheld in every aspect of your care.

This new Statement replaces the current Charter of Rights and sets out, in plain language, what you can expect - such as being treated with dignity and respect, having a say in decisions that affect you, feeling safe and supported, and having your culture and identity recognised.

You don’t need to take any action right now. Our team will be in contact to support you to understand the new Statement of Rights, what this means for you and our services, and answer any of your questions.

You can also find more information online at: [www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)

(or search “Aged Care Reforms 2025” on the Department of Health, Disability and Ageing website).

For free, confidential advocacy or support, you can also contact the Older Persons Advocacy Network (OPAN) on 1800 700 600.

Thank you for the trust you place in us. We are proud to be part of the aged care sector that is moving forward - putting your rights and wellbeing at the centre of everything we do.

Warm regards,

[Your Service Name]

[Signature / Contact Details]

# **Due Diligence Board Briefing Paper**

## Purpose

To inform the Board and executives of the new **statutory duties** introduced under the Aged Care Act 2024 (effective 1 July 2025), including the provider-level Statutory Duty in section 179 and the due-diligence duty on responsible persons in section 180, to highlight the governance risks and accountability responsibilities that arise from these duties, and to outline the key preparatory actions required to ensure full compliance by the implementation date.

## Executive Summary

The **Aged Care Act 2024**, which takes effect from **1 July 2025**, underpins the most comprehensive aged care reform in a generation. A cornerstone of the legislation is the introduction of **statutory duties** - legally binding obligations that require aged care providers and responsible persons to act with diligence, prevent harm, and ensure the safety and wellbeing of those receiving care.

These duties:

* Align with legal responsibilities in other regulated sectors, such as workplace health and safety and corporate governance.
* Reinforce that aged care providers are not only **ethically accountable**, but also **legally responsible** for delivering safe, high-quality, person-centred care.
* Shift compliance away from policy-based approaches to **enforceable legal obligations**, with significant consequences for non-compliance, including penalties, compensation claims, and regulatory action.

These provisions apply to **all registered aged care providers**, and will require clear leadership, governance oversight, and demonstrable action to meet the standard of care now required by law.

## Background

From **1 July 2025**, the **Aged Care Act 2024** introduces new **statutory duties** that apply to all **registered aged care providers and their governing persons**. These legally enforceable duties require providers and senior leaders to act with due diligence, prioritise the safety and wellbeing of care recipients, and prevent harm wherever reasonably practicable.

These duties give legislative effect to **Recommendation 88** of the **Royal Commission into Aged Care Quality and Safety**, which called for the introduction of a general duty of care on providers and key personnel. The Commission found that the existing regulatory framework failed to hold individuals accountable and lacked clear, enforceable obligations tied to consumer safety and rights.

The statutory duties mark a shift toward a more robust governance and compliance environment, aligning aged care with other regulated sectors such as health and workplace safety.

## What Are Statutory Duties?

* Legally enforceable obligations created by legislation. This means that they are not optional.
* In the Aged Care Act 2024, they establish clear, enforceable standards of conduct.
* Must be performed to a standard of “reasonably practicable” action.
* Enforceable by the Aged Care Quality and Safety Commission or courts.

## Section 179 – Duty of Registered Providers

**Legislative Requirement**  
Pursuant to section 179 of the Aged Care Act 2024, a registered provider must ensure, *“so far as is reasonably practicable, ensure that the conduct of the provider does not cause adverse effects to the health and safety of individuals to whom the provider is delivering funded aged care services while delivering those services.”*

**Implications for the Organisation**  
This provision transforms the provider’s obligations into mandatory, enforceable duties. The Board and executive must ensure the safety of individuals receiving funded aged care services, in practical terms ensuring that:

* Risk management assessment frameworks are sufficiently robust to identify and mitigate hazards before they result in harm.
* Complaints, feedback and incident management systems meet legislated requirements and governance oversight is in place to ensure systems are effective at mitigating risk and preventing harm.
* Governance processes and compliance registers assign clear accountability for the health and safety of individuals receiving care.
* Documentation and record-keeping capture all decisions, assessments and control measures to demonstrate compliance with the “reasonably practicable” test.

**Penalties and Enforcement**  
Contraventions of section 179 carry significant civil penalties:

* Serious Failures
  + Individuals: up to 150 penalty units
  + Registered providers other than individuals: up to 1,000 penalty units.
* Serious failures where conduct exposes a person to death, serious injury or illness and the conduct involves a significant failure or part of a systematic pattern of conduct
  + Individuals: up to 500 penalty units
  + Registered providers other than individuals: up to 4,800 penalty units.

The Aged Care Quality and Safety Commission may also issue compliance notices, vary, suspend or revoke registration, or impose banning orders.

In addition, section 186 of the Act allows for compensation pathways, whereby a registered provider may be ordered to compensate an individual for serious injury or illness

By embedding these obligations in statute, the Act ensures that the health, safety and wellbeing of care recipients are placed at the forefront of every operational decision, with clear legal consequences for non-compliance.

## Section 180 – Duty of Responsible Persons

**Legislative Requirement**Under **section 180(1)** of the Aged Care Act 2024, any person who is a “responsible person” of a registered provider **under paragraph 12(1)(a) or (b)** must **exercise due diligence** to ensure the provider complies with its obligations under section 179.

**Due-Diligence Obligations**  
**Section 180(2)** specifies that “due diligence” includes taking all reasonable steps to:

* Acquire and maintain up-to-date knowledge of the legal requirements applicable to registered providers under the Act.
* Understand the nature of the funded aged care services delivered and the potential adverse effects that can arise to care recipients.
* Ensure the provider has appropriate resources and processes available and that they are used to manage risks to health and safety.
* Establish and maintain processes for receiving, assessing and responding promptly to information about incidents and risks.
* Confirm that the provider implements all duties and requirements imposed by the Act.

**Note:** the **due-diligence duty** in **section 180** applies **only** to those in categories (a) Governing persons of the provider (e.g. Board members, Directors); and (b) Senior executives with significant influence over the provider’s operations (E.g. CEO, CFO). Under section (c) (i) – (ii) Nursing-service and operations managers remain accountable under other provisions but are **excluded** from the new due-diligence obligations.

**Implications for Responsible Persons**

* Personal Accountability: Responsible persons must individually meet due diligence requirements and ensure the organisation maintains records that demonstrate compliance if reviewed or investigated.
* Mandatory Training and Ongoing Awareness: Responsible persons must be educated on Aged Care Act, and the rules, including their obligations and stay informed as new Rules and guidance are issued under the Act.
* Governance, Oversight, and Assurance: Boards and executives must oversee the effectiveness of risk, incident, and feedback systems. These systems must actively identify, manage, and reduce the risk of harm to care recipients.
* Workforce and Risk Planning**:** Executive leadership must ensure workforce strategies, role clarity, and risk management practices support the provider’s legal obligations.
* Clear Lines of Responsibility: Governance processes, compliance registers, and reporting frameworks must explicitly assign accountability for provider-level duties.
* Evidence-Based Compliance: All decisions, risk assessments, and control measures must be documented to demonstrate that actions taken are “reasonably practicable” - a key legal test under the Act.

## Penalties and Enforcement

Contraventions of **section 179** carry significant civil penalties:

* Serious Failures
  + Individuals: up to 150 penalty units
  + Registered providers other than individuals: up to 1,000 penalty units.
* Serious failures where conduct exposes a person to death, serious injury or illness
  + Individuals: up to 500 penalty units.

**Independent liability:** A responsible person may be penalised under **section 180** regardless of whether the provider itself has been found in breach of **section 179**.

**Regulatory measures:** The Aged Care Quality and Safety Commission may pursue civil-penalty proceedings, compliance notices or banning orders against individuals.

## Recommended Next Steps for Boards:

* Briefing to the Board and applicable responsible persons.
* Conduct a Gap Analysis: Assess what we have in place to demonstrate due diligence and what gaps need action.
* Review and update compliance register, risk registers and board training calendar. Update to reflect duties and compliance with duties, as well as training on the Aged Care Act.
* Review service risk assessments and identify where further risk assessments may be needed.
* Review the responsible persons' Position Descriptions and induction checklists to ensure they identify the role as a responsible person role and any additional requirements to meet due diligence.
* Implement a Targeted Training Program. Enrol all responsible persons on the ALIS platform training and the Governing for Reform program (if not already completed). Track training completion as part of compliance reporting.
* Review Legal and Insurance Protections. Seek legal advice to interpret implications of **Sections 179 and 180** for the organisation and individuals and engage with insurance providers to review Directors’ and Officers’ liability coverage.
* Monitor and Strengthen Risk, Incident and Feedback Systems. Ensure systems can: capture and escalate risks; document dignity of risk and informed decision-making; produce governance reports that demonstrate compliance and responsiveness. Request assurance that systems are fit-for-purpose.
* Lead a Culture of Accountability and Transparency. Champion a safety-focused and compliant culture.

## References

Aged Care Act 2024:

[Aged Care Act 2024 - Federal Register of Legislation](https://www.legislation.gov.au/C2024A00104/latest/text)

Aged Care Act Rules Consultation:

<https://www.health.gov.au/consultation-aged-care-act>

About the new Aged Care Act:

<https://www.health.gov.au/aged-care-act>

Prepare for the new Aged Care Act:

<https://www.health.gov.au/aged-care/legislation-and-reform/aged-care-act>

# **Eligibility for Funding Aged Care Services – Staff Newsletter**

## New Eligibility Process – What Staff Need to Know

From 1 July 2025, the new Aged Care Act will introduce an updated and more consistent approach to eligibility for Government-funded aged care services across Australia.

This is part of the broader reform to create a simpler, more flexible and person-centred aged care system - where services match people’s unique needs and goals.

## What’s Changing?

Currently, people with age-related needs have been able to access Home Care Packages and residential aged care regardless of their chronological age.

However, from 1 July 2025, access will be subject to a legislated minimum age threshold. In other words, it will be set out in the law.

**Section 58 of the Aged Care Act 2024 – Eligibility determination for an aged care needs assessment** explains that the System Governor must not make an eligibility determination for an aged care needs assessment for an individual unless the System Governor considers that:

1. “the individual”:

* is aged 65 or over; or
* is aged at least 50 and
* is an Aboriginal or Torres Strait Islander person or
* is homeless, or at risk of homelessness

2. information of a kind prescribed by the rules has been provided relating to the individual’s care needs; and

3. if the individual is aged less than 65, the individual:

* has elected, in the approved form, to be provided with funded aged care services before the individual turns 65; and
* was informed, prior to making the election, of any other services that may be available to meet the care needs of the individual.”

You can view the exact wording of the legislation at:

[Aged Care Act 2024 - Federal Register of Legislation](https://www.legislation.gov.au/C2024A00104/asmade/text) (Section 58 – Eligibility Determination for an Aged Care Needs Assessment).

Why is it Changing?  
The new eligibility framework is designed to be:

* Fair and transparent
* Easier for older people and families to understand
* Better aligned with people’s actual needs and goals

Eligibility will be assessed through a single, nationally consistent process, supported by trained, independent assessors. This aims to reduce duplication and confusion across programs.

## Your Role as a Staff Member

As a staff member, you won’t determine eligibility. This is determined through My Aged Care and the single assessment service. However, as a staff member working directly with clients, you play an important role in:

* Explaining the process in plain language to people enquiring about aged care
* Helping clients prepare for their assessment (if relevant)
* Answering questions or referring clients to the right support channels

Your role is to make sure clients feel respected, informed, and supported throughout the process, particularly if they’re worried or unsure about what eligibility means for their care.

For people who are under 65 (and don’t meet the other eligibility criteria), this may mean mapping out alternative referral pathways and support mechanisms such as state-based services [insert details if known of relevant state-based services] or NDIS support.

It is important to know that there is an increased emphasis on collaboration between aged care services and other support systems, such as disability services, to ensure individuals receive appropriate care. This could involve developing local referral partnerships and pathways.

If you are involved in intake and planning, it means you will need to understand the legislated age and needs-based eligibility requirements. It might also mean being part of updating and implementing internal intake protocols, CMS systems, documentation templates and updated policy and procedure documents; and ensuring services are not provided to individuals outside the legislated eligibility parameters without formal exemption processes.

You should also familiarise yourself with navigation and access support teams in your area for people who are needing additional support navigating the system, especially those who are Aboriginal or Torres Strait Islander, homeless or at risk of homelessness, or face other barriers. [Insert details if known for local contacts for Care Finders and Elder Care].   
  
No one will lose access to existing care services just because the eligibility system is changing. This is about making future access fairer and more straightforward for everyone.

More Support is Coming  
The Department of Health, Disability and Ageing has indicated that it will release additional operational guidance and FAQs closer to implementation, including referral pathways and guidance on what to say to clients.

For now, if clients have questions, you can direct them to:  
[www.myagedcare.gov.au](http://www.myagedcare.gov.au)

1800 200 422

Or refer them to your team lead or [insert internal contact or navigator role] for more detailed support.

# **Eligibility for Funded Aged Care Services Script for Staff**

## Purpose of this document

This guide provides staff with a consistent script and key background information to help clients understand eligibility for Government-funded aged care services from 1 July 2025. Use this to ensure our team delivers clear, confident messaging and connects clients to the appropriate supports.

## Who is eligible

From 1 July, the new Aged Care Act will limit entry to Australian Government-funded aged care services to people with care needs who are either:

* aged 65 years and over
* Aboriginal or Torres Strait Islander and aged 50 years or over
* homeless or at risk of homelessness and aged 50 years or over.

## Transition arrangements

The start of the new Act will not mean you need a reassessment if you are already accessing aged care services. Younger people currently accessing aged care services, including Home Care Packages, can continue to access services under the new Act, even if they are below the minimum age.

## FAQs

**What age do you need to be to access aged care services?**

Most people must be 65 years or older, or 50 years or older for Aboriginal and/or Torres Strait Islander peoples, to be eligible under the new Aged Care Act.

**What if the person identifies as Aboriginal and/or Torres Strait Islander?**

They are eligible from age 50, in recognition of the earlier onset of ageing-related health issues and shorter life expectancy in these communities.

**What if the person is homeless or at risk of homelessness?**

People who are homeless or at risk may be eligible from age 50, regardless of cultural background. This reflects the higher levels of vulnerability and complexity of need in this group.

**What if the person does not meet the age requirements?**

If someone is under the age threshold, they are generally not eligible for Government-funded aged care services. However, they may:

* Access state-funded aged care-style programs (e.g. HACCPYP (VIC) or Queensland Community Support Scheme (QLD).
* Be referred to disability or other community services (e.g. NDIS, homelessness programs).
* Consider private aged care services, where available.

## Navigation and Access Support

**Who is available to assist people who need extra help to access the system?**

Several supports are available:

* Care Finders – For people with complex barriers such as social isolation, language difficulties, or low digital literacy.
* Elder Care Support Program – For Aboriginal and Torres Strait Islander people, delivered through Aboriginal Community Controlled Organisations.
* My Aged Care – The central intake and referral system for aged care services, providing phone and online assistance.

## Decision-Making and Alternatives

**Who decides who can access Government-funded aged care services?**

Older people can request to be assessed for aged care services through [My Aged Care](https://www.myagedcare.gov.au/). If eligible they are referred to a single assessment agency who undertakes an assessment, they determine the service groups, types, classification and priority of the person being assessed. This then goes to the Delegate for an approval and a written decision notice is issued.

**Can we provide private services to those not eligible for funded services?**

[Insert details as they apply to your organisation – e.g. availability of fee-for-service or brokerage options.]

**What state-based or alternative programs exist for people who do not meet the age criteria?**

[Insert region-specific or organisational information – e.g. HACC-PYP (VIC), community care programs, transitional housing supports, etc.]

## Resources

List of Elder Care Support Providers:

<https://www.health.gov.au/resources/publications/list-of-elder-care-support-providers?language=en>

List of Care Finders:

<https://www.myagedcare.gov.au/help-care-finder>

My Aged Care: <https://www.myagedcare.gov.au/>

The Department of Health, Disability and Ageing:

https://www.health.gov.au/topics/aged-care/about-aged-care#who-is-eligible

# **Code of Conduct Staff Newsletter**

## The Code of Conduct for Aged Care – What it Means For You

From **1 July 2025**, all aged care providers - including those delivering the Commonwealth Home Support Program (CHSP) and the National Aboriginal and Torres Strait Islander Flexible Aged Care Program (NATSIFACP) - will be formally brought under the Aged Care Act 2024.

As part of this change, the **Aged Care Code of Conduct (the Code)** will apply to everyone working and volunteering in funded aged care services. This includes staff, volunteers and contractors, as well as responsible persons such as our governing body members.

The Code describes how we must behave and treat people receiving care. It promotes kind, safe, inclusive and quality care. It also supports a person’s rights to choice, dignity and respect.

## What You Are Expected to Do Under the Code

The Aged Care Code of Conduct sets out minimum standards of behaviour expected in aged care to promote a **safe, respectful, and rights-based care environment**. It supports key objects of the new Act, particularly the Statement of Rights and strengthened regulatory enforcement.

When delivering funded aged care services to individuals, I must:

1. act with respect for individuals’ rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions; and
2. act in a way that treats individuals with dignity and respect, and values their diversity; and
3. act with respect for the privacy of individuals; and
4. deliver funded aged care services in a safe and competent manner, with care and skill; and
5. act with integrity, honesty and transparency; and
6. promptly take steps to raise and act on concerns about matters that may impact the quality and safety of funded aged care services; and
7. deliver funded aged care services free from:
8. all forms of violence, discrimination, exploitation, neglect and abuse; and
9. sexual misconduct; and
10. take all reasonable steps to prevent and respond to:
    1. all forms of violence, discrimination, exploitation, neglect and abuse; and
    2. sexual misconduct.

*(draft – taken from the aged care rules consultation)*

What Happens if the Code is Breached?  
If you breach the Code of Conduct, we will respond in line with our disciplinary policy and processes. This may include:

* Coaching
* **Formal warnings**, or other actions as appropriate, including termination of employment.

In cases of **serious** or **repeated breaches**, it may mean referral to police or external bodies.

The Aged Care Quality and Safety Commission also has powers to take regulatory action where required, including civil penalties and banning orders or sanctions.

**Under Section 173** of the new Aged Care Act 2024, it states that **all aged care workers** of a registered provider must comply with the Code. Failure to do so may attract civil penalties and disciplinary measures.

## What Support Is Available?

Staff will be supported through training, tools, and clear guidance to understand and apply these rights in practice. This includes how to respond if a client feels their rights haven’t been respected.

We’ll be providing (*delete as relevant to provider*)

* Training to help you understand and apply the Code of Conduct
* Practical tools and resources—including quick-reference guides and conversation tips
* Clear internal pathways for seeking advice, raising concerns, or accessing further support

You can also access sector information via the Department of Health, Disability and Ageing at:

[www.health.gov.au/aged-care-reforms](http://www.health.gov.au/aged-care-reforms)

[www.health.gov.au/resources/publications/code-of-conduct-for-aged-care](http://www.health.gov.au/resources/publications/code-of-conduct-for-aged-care)

# **Code of Conduct Board Briefing Paper**

## Purpose

To inform the Board of the legal and operational requirements introduced by the **Code of Conduct for Aged Care**, its integration under the *Aged Care Act 2024*, and the Board’s obligations for ensuring compliance across governance, workforce, and risk systems.

It is particularly focused on how the Code of Conduct applies to Approved providers, governing persons, as well as Commonwealth Home Support Program (CHSP) and National Aboriginal and Torres Strait Islander Flexible Aged Care (NATSIFACP) providers who fall under the Aged Care Act for the first time.

## Executive Summary

The **Code of Conduct for Aged Care** sets out legally enforceable standards of behaviour for aged care workers and responsible persons. This includes workers, volunteers, subcontractors, and governing body members. It first came into effect on **1 December 2022** under the *Aged Care Quality and Safety Commission Act* for approved providers and will continue under the **Aged Care Act 2024**, from **1 July 2025**.

**Statutory Basis and Registration Condition**

* **Section 14** describes how the rules may prescribe requirements relating to the conduct of registered providers, aged care workers and responsible persons.
* **Section 145** creates a condition of registration requiring registered providers to comply with the Aged Care Code of Conduct and take reasonable steps to ensure their aged care workers and responsible persons comply with it.
* **Section 173** mandates that all aged care workers of a registered provider must comply with the Code.
* **Section 174** mandates that each responsible person of a registered provider must comply with the Code.

## Background

The Code of Conduct for Aged Care is a legally enforceable standard that applies to all aged care workers and governing persons, including board members. It has been in effect since 1 December 2022, and continues under the Aged Care Act 2024 from 1 July 2025.

From **1 July 2025**, the Code will be embedded within the *Aged Care Act 2024*, and will continue to apply to:

* All registered providers of Commonwealth-funded aged care;
* All aged care workers (including volunteers and contractors);
* All responsible persons, including Board members and executives.

Under the Aged Care Act 2024, it will be **newly applied** to providers of:

* The **Commonwealth Home Support Program (CHSP)**
* The **National Aboriginal and Torres Strait Islander Flexible Aged Care (NATSIFACP).**

These providers will, from 1 July 2025, be **registered aged care providers**, and therefore subject to the full suite of regulatory obligations.

## The Code

The Aged Care Code of Conduct sets out minimum standards of behaviour expected in aged care to promote a **safe, respectful, and rights-based care environment**. It supports key objectives of the new Act, particularly the Statement of Rights and strengthened regulatory enforcement.

When delivering funded aged care services to individuals, I must:

1. act with respect for individuals’ rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions; and
2. act in a way that treats individuals with dignity and respect, and values their diversity; and
3. act with respect for the privacy of individuals; and
4. deliver funded aged care services in a safe and competent manner, with care and skill; and
5. act with integrity, honesty and transparency; and
6. promptly take steps to raise and act on concerns about matters that may impact the quality and safety of funded aged care services; and
7. deliver funded aged care services free from:
8. all forms of violence, discrimination, exploitation, neglect and abuse; and
9. sexual misconduct; and
10. take all reasonable steps to prevent and respond to:
    1. all forms of violence, discrimination, exploitation, neglect and abuse; and
    2. sexual misconduct.

*(Draft – taken from the Aged Care Rules consultation)*

## Application to Providers and Boards

Under the **Aged Care Act 2024**, adherence to the Aged Care Code of Conduct is embedded in the very framework of provider registration and extends to all levels of governance and service delivery:

**Condition of Registration**

* **Section 145** adds a specific registration condition requiring each provider to comply with the Code of Conduct and to take reasonable steps to ensure that its aged care workers and responsible persons also adhere to its requirements.

**Individual Obligations**

* **Section 173** mandates that **all aged care workers** of a registered provider must comply with the Code. Failure to do so may attract civil penalties and disciplinary measures.

**Breach of Section 173** may result in:

* + **Civil penalties** (up to 250 penalty units, approximately $82,500)
  + **Banning orders** from working or volunteering in aged care.

**Section 174** requires each **responsible person** (for example, board members, CEOs and senior executives) to comply personally with the Code. This duty is independent of, and in addition to, the provider’s own obligations.

**Breach of Section 174** may result in:

* + Civil penalties (up to 250 penalty units, approximately $82,500)
  + Banning orders from working, volunteering or holding leadership roles in aged care.

## Monitoring and Enforcement

The Aged Care Quality and Safety Commission (ACQSC) monitors compliance with the Code through complaints, Serious Incident Response Scheme (SIRs), audits, and unannounced visits. It has broad regulatory powers under the Aged Care Act 2024 and may take a graduated response depending on the seriousness of the breach. The Commission can impose:

* Warnings, education notices, or compliance orders
* Registration conditions, suspensions or revocation of registration
* Civil penalties or banning orders for individuals or providers in serious cases
* Referrals to other authorities, such as the Australian Health Practitioner Regulation Authority (AHPRA) (for registered health practitioners), the NDIS Commission, or police for criminal matters.

In serious cases, non-compliance with the Code can result in public statements of non-compliance or revocation of provider registration. Boards must ensure prompt escalation and response to any compliance issues raised through these mechanisms.

Implications for the Board and organisation:

* Legal Accountability: Board members are considered *responsible persons* under the Act and are required to personally uphold the Code.
* Oversight Duty: Boards are responsible for ensuring governance structures, systems, policies, and organisational culture actively promote and enable Code compliance across all funded aged care services.
* Regulatory Consequences: The ACQSC has strengthened powers under the new Act. Non-compliance may result in serious enforcement action, including compliance and civil penalty notices, registration conditions, banning orders, public warnings, or suspension or revocation of provider registration.
* Duty to Foster a Safe and Respectful Culture: Boards must set the tone from the top and demonstrate leadership in fostering a culture where respectful, safe, and person-centred care is non-negotiable. This includes ensuring the Code is embedded in organisational values, leadership behaviours, and workforce expectations.
* Workforce governance: Boards must ensure that staff recruitment, training, supervision, and performance management frameworks incorporate the Code. This includes mandatory Code of Conduct training, and having clear processes for reporting, investigating, and addressing breaches.
* Complaints and Risk Management: Boards must have oversight of complaints systems and ensure that there are accessible, fair, and timely pathways for individuals to raise concerns. Patterns of Code breaches should be monitored as part of enterprise risk management and quality improvement reporting.
* Obligation to Act on Breaches: When notified of significant Code breaches, Boards must ensure that appropriate internal action is taken (in line with disciplinary policies), and that serious incidents are escalated as required to the Aged Care Quality and Safety Commission or other authorities.

## Recommendations / Next Steps

1. **Confirm Board Understanding**  
   Ensure all Directors understand the scope and intent of the Aged Care Code of Conduct, including its application across all funded aged care services.
2. **Undertake Formal Training**  
   Schedule Board and staff training on the revised Code of Conduct and sections 144, 173 and 174 of the Act, which outline obligations of responsible persons and aged care workers and the consequences of non-compliance with the Code.
3. **Confirm and Endorse the Code Implementation Plan**  
   Review and approve the organisation’s Code of Conduct implementation plan, including timelines, training strategies, workforce engagement, and compliance monitoring mechanisms.
4. **Review Organisational Compliance Systems**  
   Assess current systems to ensure alignment with Code obligations—specifically in relation to staff onboarding, mandatory training, incident escalation, complaints, recordkeeping, and reporting.
5. **Endorse Updated Policies and Procedures**  
   Review and approve updated internal policies that reflect the Code’s principles and obligations, including those relating to workforce conduct, complaints, disciplinary actions and termination.
6. **Request Regular Reporting and Assurance**  
   Include Code breaches and training completion in quarterly Board reporting on quality and risk.
7. **Review Legal, Insurance, and Risk Protections**  
   Confirm that Directors and Officers (D&O) insurance and indemnity arrangements appropriately cover compliance and governance risks associated with Code breaches.
8. **Support Organisational Culture Alignment**  
   Model and promote a culture of respectful, safe, and ethical conduct. Ensure that Code values are embedded into leadership behaviours, staff performance management, and recognition frameworks.

## Resources

Aged Care Act 2024

[Aged Care Act 2024 - Federal Register of Legislation](https://www.legislation.gov.au/C2024A00104/latest/text)

Aged Care Act Rules Consultation

[https://www.health.gov.au/consultations/aged-care-act](https://www.health.gov.au/our-work/aged-care-act/consultation?language=en)

About the new Aged Care Act

<https://www.health.gov.au/resources/publications/about-the-new-rights-based-aged-care-act>

Prepare for the new Aged Care Act

<https://www.health.gov.au/aged-care-act>

Aged Care Quality and Safety Commission’s previously published Code of Conduct guidance (2022)

[https://www.agedcarequality.gov.au/sites/default/files/media/code-of-conduct-aged-care.pdf](https://www.agedcarequality.gov.au/for-providers/code-conduct)