

Changes to aged care quality and safety

Last updated 30 November 2022

This fact sheet contains information about upcoming changes based on information provided by the Department of Health and Aged Care and the Aged Care Quality and Safety Commission. [Subscribe](#) to Carers NSW monthly eNews for regular updates on aged care reforms.

Following the Royal Commission into Aged Care Quality and Safety, the Australian Government is making a number of changes to improve the quality and safety of aged care services.

Changes coming into effect 1 December 2022

A Code of Conduct for Aged Care

The Australian Government is introducing a [Code of Conduct for Aged Care](#) (the Code) which will be implemented from 1 December 2022. The Code outlines the behaviour that people who are ageing and their carers can expect of aged care providers and aged care workers.

The Code will apply to all contractors, volunteers or other people providing aged care services on behalf of approved aged care providers of residential, home care and flexible care funded by the Australian Government. It will not apply to Commonwealth Home Support Programme (CHSP) and National Aboriginal and Torres Strait Islander Flexible Aged Care Program (NATSIFACP) providers.

While the Code does not apply to CHSP and NATSIFACP providers, they will still be required to provide care that is safe and respectful in line with the Code.

If you feel that your provider is not providing services in line with the Code, you can raise a complaint directly with your provider or with the Aged Care Quality and Safety Commission.

Find out more about the Code of Conduct for Aged Care by visiting:

<https://www.agedcarequality.gov.au/consumers/code-conduct-aged-care-information-consumers>.

Serious Incident Response Scheme extended to in-home care

From 1 December 2022, the [Serious Incident Response Scheme \(SIRS\)](#) will be extended from residential aged care to all home care and flexible care delivered in a home or community setting.

The SIRS requires aged care providers to identify, record, manage and resolve all serious incidents that occur, or are alleged or suspected to have happened. This includes incidents that take place in the provision of care that have or could have reasonably been expected to have caused harm to other people such as family members or carers.

Additionally, 'reportable incidents' must be reported to the Aged Care Quality and Safety Commission by aged care providers. There are 8 types of reportable incidents under the SIRS:

- Unreasonable use of force
- Unlawful sexual contact or inappropriate sexual conduct
- Neglect of a person who receives aged care
- Psychological or emotional abuse
- Unexpected death
- Stealing or financial coercion by a staff member
- Inappropriate use of restrictive practices
- Unexplained absence from care

Under the SIRS, an allegation, suspicion, or witness account of these types of serious incidents must be reported to the Commission.

Find out more about the Serious Incident Response Scheme by visiting:

<https://www.agedcarequality.gov.au/consumers/serious-incident-response-scheme>.

Changes to consent for Restrictive Practices

From 1 December 2022, the *Quality of Care Principles* will be amended to include a hierarchy of persons who can consent to the use of restrictive practices when someone who is ageing cannot consent themselves and there is no explicit legal avenue under state/territory laws.

These changes will ensure restrictive practices are only used with appropriate consent to protect the health, rights and dignity of older Australians in residential aged care. There are five levels of the hierarchy – these are:

- nominee
- partner
- relative or friend who was a carer
- relative or friend who was not a carer
- medical treatment authority, who will best support care recipients who cannot consent themselves.

Learn more about restrictive practices at: <https://www.health.gov.au/topics/aged-care/providing-aged-care-services/working-in-aged-care/restrictive-practices-in-aged-care-a-last-resort>.

Changes coming soon

Star Ratings for residential aged care

By the end of December 2022 all residential aged care facilities in Australia will have [Star Ratings](#) which will be published and publicly available. Star Ratings will make it easier for aged care consumers and their carers to compare the quality of residential aged care facilities.

Residential aged care facilities will receive a rating of 1 to 5 stars, based on an overall Star Rating and four sub-category ratings - Residents' Experience, Compliance, Staffing, and Quality Measures.

Star Ratings will be available on the [Find a provider](#) tool from December 2022.

Learn more about Star Ratings for residential aged care by visiting:

<https://www.myagedcare.gov.au/news-and-updates/star-ratings-aged-care-homes-coming-soon>.

Capping Home Care Package administrative and management fees

The Australian Government has recently introduced legislation to cap administration and management charges in the Home Care Packages (HCP) Program. These changes will commence on 1 January 2023.

From 1 January 2023, care and package management charges will be capped at 20% and 15% of the package level respectively. Additionally, exit fees and separate subcontracting charges will also no longer be able to be charged to Home Care Packages.

Learn more about changes to Home Care Package fees and charges by visiting:

<https://www.health.gov.au/sites/default/files/2022-11/home-care-packages-pricing-update.pdf>.

To find out more, or to get involved with aged care reforms, family and friend carers can visit the Aged Care Engagement Hub at <https://agedcareengagement.health.gov.au/>.