



# New Aged Care Act: Statement of Principles

The new Aged Care Act will include a Statement of Principles to help guide decision making to ensure the new Act is administered in a manner consistent with its purpose.

## Royal Commission recommendations

The proposed Statement of Principles will address Recommendation 3 of the Royal Commission into Aged Care Quality and Safety. This stated the new Act should include a list of key principles, including the following two paramount considerations:

- to ensure the safety, health and wellbeing of people receiving aged care, and
- to put older people first so their preferences and needs drive the delivery of care.

## The role of the Statement of Principles

The Statement of Principles will guide the decisions, actions and behaviours of everyone operating in the aged care system. Consistent with the Objects, the Purpose Statement and operational provisions under the Act, it will highlight the intended outcomes of the new legislative framework, including the new regulatory model.

The Statement of Principles will complement the Statement of Rights, which serves a different purpose – for further information see separate fact sheet on *New Aged Care Act: Statement of Rights*.

## Which Principles should be included?

It is proposed the following principles be included in the Statement of Principles:

**Note:** The proposed principles are numbered for ease of reference only and is not intended to show a hierarchy or how the principles may be presented in the new Act.

1. The safety, health, wellbeing and quality of life of older people should be the primary consideration in the delivery of funded aged care services.
2. The delivery of funded aged care services by registered providers and aged care workers should comprise of the provision of person-centred care that:
  - takes into account dignity of risk, and the preferences, individual needs, goals and aspirations of older people
  - is free from any form of discrimination, abuse and neglect
  - treats older people as unique individuals, and with kindness, dignity and respect, and
  - in the case of First nations people, supports their personal connection to community and Country.
3. The aged care system should put older people first, and support older people who access funded aged care services:
  - being able to reside at home if that is their choice, or, where that is not possible, in a setting appropriate to their circumstances, that is recognised as their home
  - being able to exercise individual responsibility and make decisions that enable them to lead active and fulfilling lives, including by engaging in the community and maintaining relationships with people where they choose to do so, and
  - being active and informed partners in decision-making as they wish about the funded aged care services delivered to them
  - maintaining or improving their physical and cognitive capabilities, with a focus on enablement, except where palliative care outcomes are discussed and agreed to by an older person or an appropriate representative, and
  - being aware of their rights when accessing funded aged care services.
4. Where funded aged care services are required, the aged care system should offer accessible, culturally appropriate services for all older people, regardless of their location, including people of diverse backgrounds, people with alternative service needs and vulnerable people. This could include, but is not limited to:
  - First Nations people
  - peoples from cultural and linguistically diverse backgrounds
  - people who live in rural or remote areas
  - people who are financially or socially disadvantaged
  - veterans
  - care leavers
  - parents separated from their children by forced adoption or removal
  - people who are homeless or at risk of becoming homeless, and
  - people who identify as lesbian, gay, bisexual, transgender, intersex or queer.

5. The aged care system should be transparent and provide public access to meaningful and readily understandable information about aged care.
6. Government funding of aged care services should be used to support the delivery and regulation of services which provide targeted care and support for older people in need.
7. The aged care system should not be used inappropriately to address service gaps in other care sectors or systems, preventing individuals from getting the best available care to meet their individual needs, goals and preferences.
8. For younger people, alternative services that meet their needs are a preferred option to aged care services, which are designed to support the needs of older people.
9. The aged care system should fund aged care services, which are not unlimited, for older people most in need - taking into account the individual needs of older people, and with individuals expected to meet some of the costs of services they use where they have the financial means to do so.
10. The aged care system should incorporate effective networks to support:
  - continuity for older people accessing funded aged care services, and
  - access to integrated services that older people may require, with strong linkages with the health, mental health, disability and community services sectors.
11. An effective aged care system should be supported by a diverse and sustainable market, as well as a trained and appropriately skilled workforce (including volunteers) – with aged care workers empowered to contribute to the delivery of high quality care and support ongoing business improvement across the aged care sector.
12. Feedback and complaints about the delivery and accessibility of funded aged care services should be used to inform and promote continuous improvement in the aged care system.
13. The regulation of the aged care sector should:
  - promote innovation, continuous improvement and contemporary evidence-based best practice within the aged care system
  - identify failures and risks of failures within the aged care sector
  - be responsive, risk proportionate, and principles based
  - focussed on the health and safety of older people, and prioritised to areas of highest risk to older people
  - promote the delivery of high quality, person-centred and culturally appropriate care to people accessing aged care services, and
  - strive for regulatory alignment with other care and support sectors where it is appropriate to do so and will benefit the aged care sector.
14. The Commission should undertake its functions, including its financial and prudential regulation functions, in a way that seeks to prompt and encourage registered aged care providers to operate viable services that ensure continuity of quality, safe care for people using them.
15. The aged care system should be managed to ensure its sustainability and resilience, and that the Commonwealth's investment represents value for money.

These proposed principles reflect, in part, wording proposed by the Royal Commission, with additional content included to cover feedback already received from stakeholders.

## How can I have my say about the statement of principles?

An Exposure Draft of the Bill for the new Aged Care Act is expected to be released for public consultation later in 2023 and there will be opportunities to have your say about the draft Bill.

You can also [subscribe to Your Aged Care Update \(for providers\) or EngAged \(for older people, their carers, and families\)](#) to stay up to date with reforms to aged care.

### Let's change aged care together

We invite Australians to continue to have their say about the aged care reforms.



Visit [agedcareengagement.health.gov.au](https://agedcareengagement.health.gov.au)



Phone **1800 318 209** (Aged care reform free-call phone line)

For translating and interpreting services, call 131 450 and ask for 1800 318 209.

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