Council of Elders

# First term achievements

## Establishment

The Council of Elders was established in December 2021 in response to recommendation 9 of the Royal Commission into Aged Care Quality and Safety Final Report. The first term members of the Council were appointed for 2 years to provide independent, high-level, whole of reform, strategic advice to the Commonwealth Ministers responsible for aged care, and to senior executives in the Australian Department of Health and Aged Care.

The inaugural Chair was Mr Ian Yates. After Mr Yates was appointed Interim Inspector-General of Aged Care, Ms Anne Burgess was appointed Chair.

Members bring a diverse range of backgrounds, characteristics, life experiences and perspectives.

Together we provide a direct voice to the Australian government from older people, informed by our own experiences and networks. While members bring extensive links to peak and representative bodies, we are appointed as individuals.

We met for the first time on 25 January 2022.

## Key achievements

Council has met, either in-person or virtually, 24 times since our establishment. In forming its advice, Council members have drawn on all we have learned from the interactions we have with older people every day. We have attended 38 major sector events across the country, used our local and national networks, met with local groups and connected with older people through our dedicated Facebook page and telephone line. Council members also hear directly from older people receiving in-home and residential aged care services through their extensive networks and at regular community events.

We bring this rich information about the experiences of older people into our discussions and our advice.

As this report shows, we have considered a very broad range of issues in this term. Across all the matters we have advised on, Council has worked to help re-focus aged care around the rights of older people. We have provided advice to drive participant-focussed reform to make it easier for older people to access high quality aged care services and supports and improve the safety of older people.

In all of our discussions, we have paid attention to the needs of First Nations elders, older people from culturally and linguistically diverse communities, people with a disability, and older people from other diverse or disadvantaged groups. Helping the government to better communicate with and engage with older people who speak a range of languages, and those may be reverting to an original language as they age, has been a strong area of focus for the Council. As has been reaching the many different First Nation’s communities across Australia.

## Hearing the voices of older people from across Australia

A priority for Council is making sure aged care reforms are communicated properly to older people and that older people across the country have a say on changes government is looking to make.

Communicating with and hearing directly from older people is critical to our advice being effective. Older people can hear about important aged care reforms, and share their experiences with us,

through our Facebook page and a phoneline. We also release a public communique following each meeting.

The Council has reached out to key organisations supporting the needs of older people, their families and carers and developed a ‘Statement of Intent’. The Statement sets out how we will work together, share information and receive the input and advice of organisations on key matters we are considering.

## How Council works

In 2022, Council established working groups to start work in priority areas like Star Ratings, changes to Support at Home, and the new Aged Care Act. In 2023, work in these areas had progressed so much that working groups were no longer the best way of working. Instead, all members discussed important items at Council meetings and we organised dedicated additional meetings when we needed them. We provide timely and succinct advice to the Minister following each meeting.

Where it has made sense, the Council has worked with the National Aged Council Advisory Council to provide joint advice to Ministers. We did this in 2023 on the impact of dementia on aged care.

## Some ways Council has made a difference

The following summarises Council’s most significant areas of advice to date. The summary is not intended to be exhaustive. Instead, we want to highlight Council’s most significant impact on policies, programs and reform affecting older people.

### Whole of system issues

* *Keeping older people informed about aged care reforms*

Council advised the government about the importance of regular, clear communication with older people about the aged care reforms. We helped shape the public aged care roadmap and gave the department advice about the best ways to communicate with older people and their families about important aged care initiatives, like the new Aged Care Act.

* *The new Aged Care Act*

An important issue for Council was making sure that all older people had the opportunity to contribute to the public consultations for the new Aged Care Act. We gave advice about ways the government could engage hard to reach and vulnerable groups, including First Nations communities, people living in residential aged care, people experiencing homelessness, and people from culturally and linguistically diverse groups. The Council held a dedicated meeting to give feedback on the draft consultation materials.

We also gave advice during the Act drafting stages on issues like the proposed statement of rights and the principles; disclosure arrangements and whistle-blower protections; on the supported decision-making arrangements; and on the use of language in the new Act.

* *Promoting positive ageing*

We are committed to encouraging positive ageing, and reducing age discrimination, and have provided advice on long-term policies and strategies that would encourage this.

Council has looked at ways to promote respect for older people, address ageism, and improve social connection for older people. We regular discuss ways that people could be encouraged to proactively maintain their health from an earlier age.

* *Dementia and its impact on aged care*

Council’s joint advice with the National Aged Care Advisory Council informed the drafting of the National Dementia Action Plan. Council advice included ideas for public education campaigns that would reduce the stigma associated with dementia and normalise the experience of dementia. Council also suggested ways to foster a standardised human- rights based model of care; improve the safety of people living with dementia; develop more culturally safe dementia services for First Nations people and culturally and linguistically diverse people living with dementia; and improve the coordination and linkages within the health system. Council held an in-depth look at addressing dementia stigma in its November 2023 meeting.

* *National Aged Care Design Principles and Guidelines*

Council highlighted the importance of residential aged care facility designs including access to gardens and outdoor spaces; spaces and facilities that family members, visitors and neighbours could use to encourage social interaction and reduce isolation and loneliness; and the importance of simple, accessible design to aid autonomy and independence.

Council advice resulted in inclusions and revision of language in the Residential Aged Care Accommodation Framework. We focussed on ensuring the framework was positive and forward-looking and worked with the department on the objective statement for each of the four design principles.

### In Home Care

* Ensuring support at home meets the needs of older people and is safe is a key priority for the Council and is regularly discussed. Our advice contributed to updated training for new workforce assessments to help combat elder abuse and the expansion of interpreting services. Council advice is also being taken into account as government looks at increasing access to aged care services in regional areas.

### Safety of older people

* The prevention of elder abuse and ensuring older people are safe and receive a high standard of care are high priorities for the Council. We regularly advise the Minister on ways that safety could be improved. We suggested ideas for the second national plan to end elder abuse covering broad community campaigns and targeted, nuanced strategies for First Nations and culturally and linguistically diverse communities. Making substituted decision-making arrangements, for example guardianship and powers of attorney, easier to use and safer for older people is a high priority.

### Quality services and supports

* *Star Ratings*

As Star Ratings was being developed, Council provided advice about the sort of information that would help older people to use, understand and benefit from the new system. Our advice contributed to the design of the public facing system, the development of a range of accessible and linguistically diverse resources to support older Australians and their families to use Star Ratings, and the way questions were asked in the Residents’ Experience Survey to make sure they reflected older people’s expectations of care.

* *Quality Standards*

We provided advice on the public consultation process for a strengthened set of Aged Care Quality Standards. We encouraged the department to think outside the box about how it

engaged. Our advice strengthened the approach taken by the department which received very positive feedback about the level of engagement.

* *New regulatory model and complaints*

Council advice informed options for a regulatory model that can deal with breaches of rights that are less severe but still have significant impacts on the quality of life for older people.

Council suggested government consider the use of alternative dispute resolution services such as mediation as these are easy for older people to access and use. Council’s advice was used to help find the right balance between taking an educative, capacity building approach towards providers, with the need for older people to feel empowered and have their complaints taken seriously. Council has also helped government think about how provider platforms are regulated.

* *Workforce*

Council members regularly hear about older people’s experiences with finding high quality and suitably qualified aged care staff. Council used this information when it discussed the issues covered above. It also fed it into relevant discussions of the National Aged Care Advisory Council and the department’s advisory bodies on workforce issues.

### Governance

* *Inspector-General of Aged Care*

Council advised on the consultation materials for the establishment of the interim Inspector- General of Aged Care. We are pleased that we have since developed a strong working relationship with the Acting Inspector-General, holding in camera discussions at the conclusion of some of our meetings. We expect this arrangement to continue with the new Council.

* *First Nations Aged Care Commissioner*

A key priority for Council is ensuring the needs and aspirations of First Nations older people are properly consider in the implementation of aged care reforms. Council provided advice on the creation of a First Nations Aged Care Commissioner. The second term Council will work with the interim Commissioner on the design and governance of the permanent position.