



National Aged Care Advisory Council

Terms of Reference – January 2024

1. Purpose

The National Aged Care Advisory Council (Advisory Council) provides expert advice to support the implementation of aged care reforms. The Advisory Council provides advice on key matters relating to implementation of the reforms in the aged care sector to:

- the Minister for Health and Aged Care
- the Minister for Aged Care
- the Department of Health and Aged Care
- other government agencies responding to recommendations of the Royal Commission.

The Advisory Council will ensure that advice reflects the needs and expectations of a diverse range of older people in Australia, their families and carers, as well as that of aged care providers and the aged care workforce. The Advisory Council will provide this advice regardless of location and circumstance, and will note the need to protect the interests of the vulnerable and disadvantaged.

2. Functions

The Advisory Council will consider and provide advice on key issues affecting aged care, including arising from implementation of the recommendations of the Royal Commission into Aged Care Quality and Safety. This will include:

- supporting older people in Australia who choose to remain in their home through improvements to navigating access and delivery of aged care services from the perspective of carers and older people and the design and implementation of a new home care program
- policy formulation and implementation related to improving and simplifying residential aged care services and access, including the new funding model for residential aged care and developing a strong and competitive market
- the implementation of measures to improve residential aged care quality and safety including strengthened clinical care standards and nutritional standards, the regulatory capability of the Aged Care Quality and Safety Commission, consumer protection measures and the Star Rating System
- supporting a growing and better-skilled care workforce including issues affecting demand, supply and productivity of the aged care workforce; and how industry, government, employees and older people can work collectively to ensure the care workforce is suitably skilled
- development of a new rights based, older person-focused Aged Care Act and amendments to existing aged care legislation including the *Aged Care Act 1997*
- aged care provider issues, including stronger governance arrangements and the readiness of providers to implement aged care reforms.

In providing advice, the Advisory Council's members will ensure that the issues addressed are discussed within their networks to the fullest degree possible (where appropriate).

To support these functions members of the Advisory Council will act in a collegiate and collaborative manner and respect the confidentiality of the Advisory Council's proceedings.

Ministers will be invited to attend meetings, or attend at their discretion, to receive advice. The Advisory Council will provide written advice to the Minister for Aged Care and publish a communique as soon as possible after each meeting.

3. Membership

The Advisory council will consist of:

- an independent Chair
- up to 18 members appointed based on their current aged care sector expertise
- the Chair of the Council of Elders.

Members will be appointed by the Minister for Health and Aged Care and will be experts in relevant aspects of the aged care system, including:

- people receiving aged care
- the aged care workforce
- approved providers
- health and allied health professionals
- training and education
- independent experts to the Advisory Council.

The general members will be appointed based on one or more of the above categories, noting that when a member no longer fulfills the criteria under which they were appointed, their membership to the Advisory Council may be terminated by the Minister.

Membership can be terminated by the Minister without cause at any time.

The Deputy Secretary, Ageing and Aged Care Group, Department of Health and Aged Care will attend meetings as an observer to ensure the Council's work is considered in aged care reform implementation. With the Chair's prior approval, individuals and organisations may be invited attend discussions as observers where they have relevant knowledge, expertise or experience.

4. Meetings and Work Program

The Advisory Council will meet on a six-weekly basis unless agreed otherwise. Meetings will be combination of virtual and face-to-face.

Advisory Council members will establish an annual work program agreed in consultation with the Minister for Aged Care. Additional items can be referred to the Advisory Council by Ministers for advice outside of a formal work planning process. The Council of Elders may also refer items to the Advisory Council.

The Advisory Council may be supported through the commissioning of external services to assist it to effectively provide advice on the implementation of aged care reforms, if required. Engagement of external support and associated expenditure will be subject to Australian Government procurement and expenditure rules.