

Council of Elders Terms of Reference

1. Purpose

The Council of Elders (Council) provides advice to support the implementation of aged care reforms. The primary purpose of Council is to provide advice from older Australians to:

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

The Council will ensure the advice reflects the needs and expectations of a diverse range of older people in Australia, their families and carers, including from the perspective of quality and safety of care, and the rights and dignity of older people. The 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 Council will consider and provide advice on key issues affecting aged care, including arising from implementation of recommendations of the Royal Commission into Aged Care Quality and Safety. This will include advice on:

- supporting older people in Australia who choose to remain in their home, through improvements in navigating access and delivery of aged care services from the perspective of older people and carers, and design and implementation of a new home care program
- policy formulation and implementation relating 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
- 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 Ratings 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 the new rights-based, older person-focused Aged Care Act, amendments to existing aged care legislation (including *Aged Care Act 1997*, pending the new Aged Care Act), and future amendments to aged care legislation
- issues important to, and impacting on, older people who access aged care, including aged care quality and safety, the needs of older people and their families and carers, and the rights and dignity of older people

In providing advice, Council 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 Council will act in a collegiate and collaborative manner, and respect the confidentiality of Council proceedings.

Ministers will be invited to attend meetings, or attend at their discretion, to receive advice. 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 Council will consist of:

- an independent Chair, who will also be a member of the National Aged Care Advisory Council, to facilitate cross-council collaboration
- up to 13 general members, who have been appointed because of their previous experience and current networks in aged care.

Members will be appointed by the Minister for Health and Aged Care, and will have prior experience in (and strong networks with) relevant aspects of the aged care system, including:

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

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 on 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 Council's work is considered in aged care reform implementation. With the Chair's prior approval, individuals and organisations may be invited to attend discussions as observers, where they have relevant knowledge, expertise or experience.

The Chair should be advised of a member's inability to attend a meeting as soon as practicable. If the Chair is absent from a meeting, the Council will nominate an Acting Chair.

As members of Council are appointed as individuals, a proxy may not attend a meeting in place of an appointed member.

4. Meetings and Work Program

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

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

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