



New Regulatory Framework – Provider Obligations webinar

8 May 2025





Acknowledgement of Country

The Department of Health and Aged Care acknowledges First Nations peoples as the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community.

We pay our respects to them and their cultures, and to Elders both past and present.



Artist: Chern'ee Sutton

Agenda



- Introduction and Webinar Chair

Amy Laffan

First Assistant Secretary, Quality and Assurance
Division



- Consultation journey
- Conditions, obligations and duties (types of compliance requirements)
- Deeming

Rob Day

Assistant Secretary, Harmonisation and
Regulatory Strategy Branch



- Core conditions for all providers
- Rights-based regulatory model - rules and conditions
- Obligations tool

Simon Christopher

Director, Regulatory Model Strategy Section



- Overview - 20 May Webinar - Compliance and enforcement

Christian Hesse

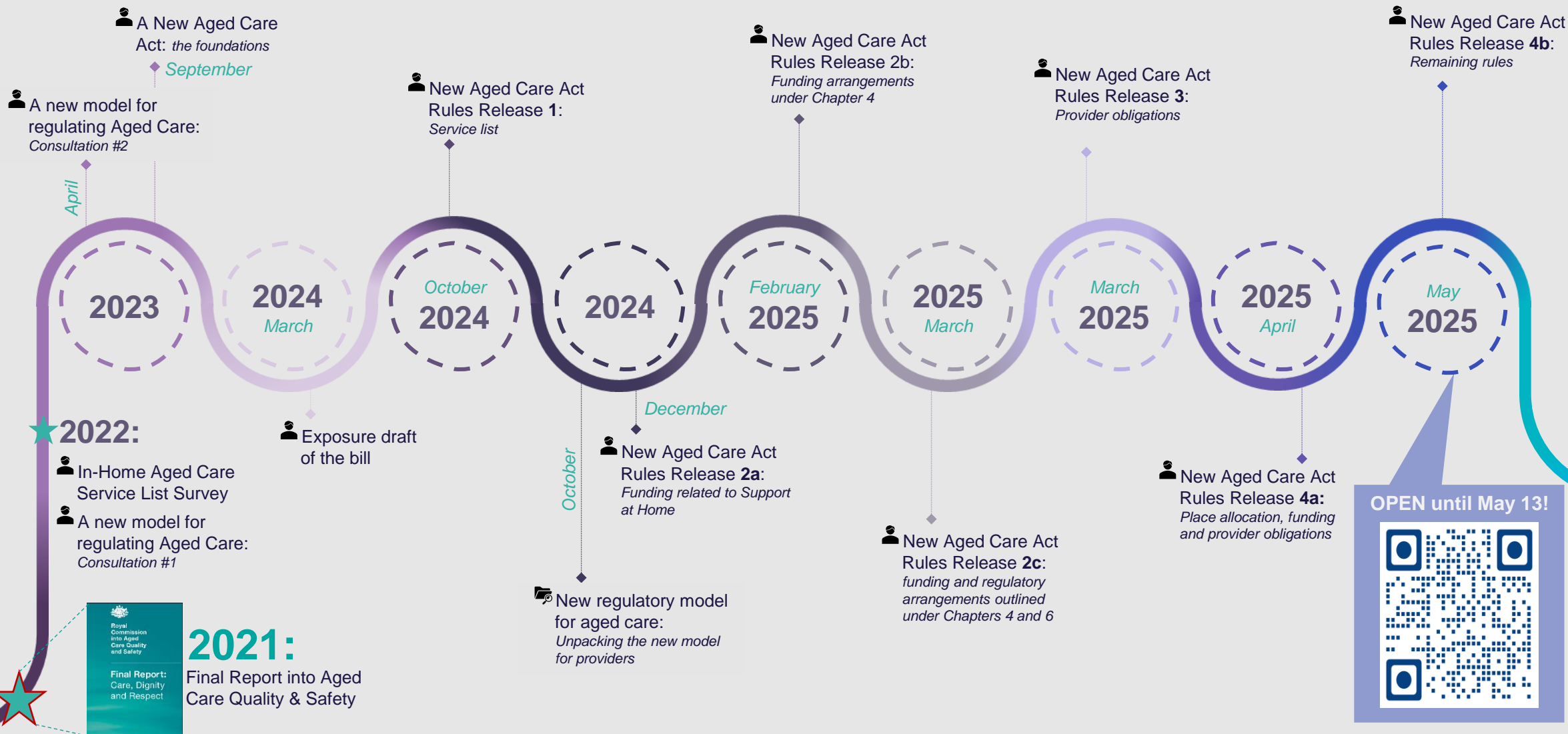
A/g Executive Director Quality Assessment
and Monitoring Group, Aged Care Quality
and Safety Commission



Panel Q&A

- Journey of aged care reforms
- Three types of regulatory requirements
 - Conditions of registration
 - Obligations
 - Statutory duties
- How the Act and rules work together
- Update on deeming

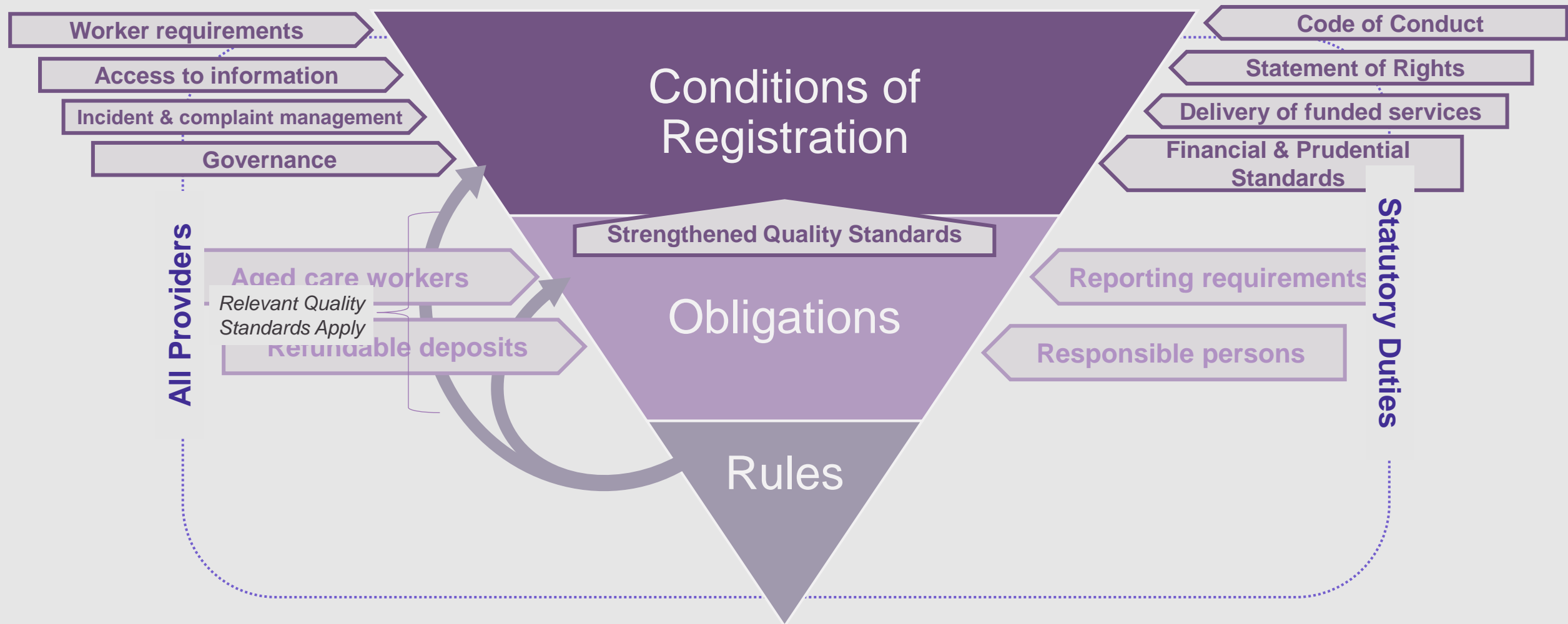
Consultation Timeline



Conditions, Obligations and Duties

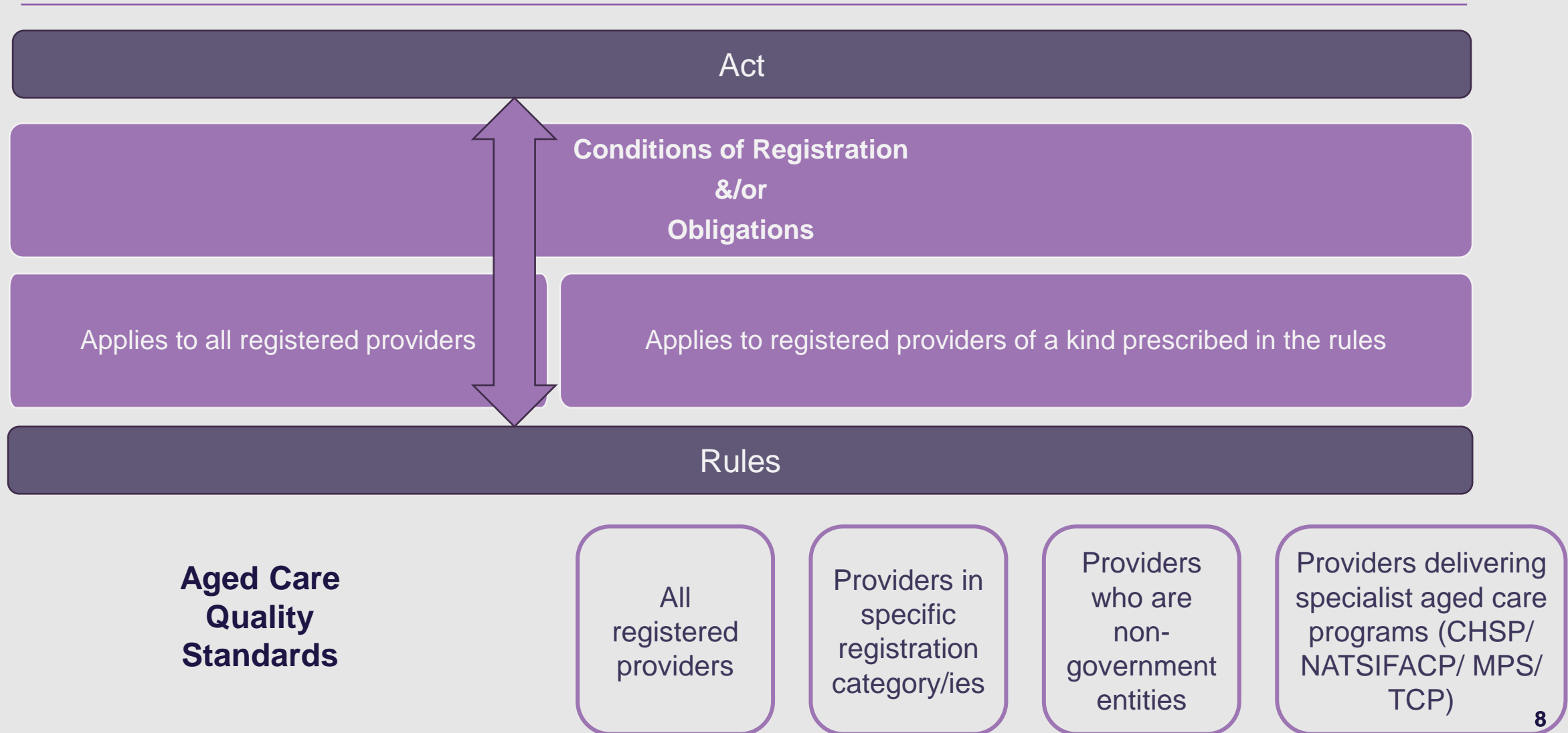
- Currently, there are hundreds of responsibilities spread across several pieces of legislation.
- These responsibilities will change under the new Act.
- The new regulatory model streamlines obligations for all providers delivering services.

Conditions, Obligations and Duties



***The information provided on this slide is indicative only and not an exhaustive list of the conditions, obligations and/or rules.*

How to interpret the rules – certain kind of provider



Requirements that apply to ALL registered providers

Conditions of registration

Rights & Principles

Code of Conduct

Complaints, feedback & whistleblowers

Access by supporters & others

Worker screening

Obligations

Reporting

Change in circumstances notification

Protection of personal information

Suitability of responsible persons

Cooperation, facilities & assistance

Statutory duties

For registered providers

For responsible persons

All Providers

Statement of Rights



- The Statement of Rights gives older people the right to:
 - make their own decisions about their own life
 - have their decisions not just accepted, but respected
 - get information and support to help them make decisions
 - communicate their wishes, needs and preferences
 - feel safe and respected
 - have their culture and identity respected, and
 - to stay connected with their community.

Code of Conduct for Aged Care

- The Code of Conduct for Aged Care helps ensure that people can have confidence and trust in the quality and safety of aged care they receive.
- Under the new Act all providers and aged care workers, including CHSP and NATSIFAC funded providers, must comply with the Code.



A. Act with respect for people's rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.



B. Act in a way that treats people with dignity and respect and values their diversity.



C. Act with respect for the privacy of people.



D. Provide care, supports and services in a safe and competent manner, with care and skill.



E. Act with integrity, honesty and transparency.



F. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of care, supports and services.



G. Provide care, supports and services free from:
i. all forms of violence, discrimination, exploitation, neglect and abuse and
ii. sexual misconduct.



H. Take all reasonable steps to prevent and respond to:
i. all forms of violence, discrimination, exploitation, neglect and abuse and
ii. sexual misconduct.

Worker screening requirements



Australian Government
Department of Health and Aged Care



**Aged care worker screening – proposed changes for
aged care workers from 1 July 2025**

Service delivery rules

- Service delivery rules apply to all providers.
- It is a condition of registration that providers must deliver aged care services in accordance with the description of each service in the service list **(section 148 of the Act and section 148-5 of the rules).**



Quality Standards

Provider registration category	Description	Service types	Application to registration categories			
			Provider obligations	Code of Conduct	Aged Care Quality Standards Standards 1 to 4	Aged Care Quality Standards Standards 5 to 7
Category 1	Home and community services	<ul style="list-style-type: none"> Domestic assistance Home maintenance and repairs Meals Transport 	✓	✓	X	X
Category 2	Assistive technology and home modifications	<ul style="list-style-type: none"> Equipment and products Home adjustments 	✓	✓	X	X
Category 3	Advisory and support services	<ul style="list-style-type: none"> Hoarding and squalor assistance Social support and community engagement 	✓	✓	X	X
Category 4	Personal care and care support in the home or community (including respite)	<ul style="list-style-type: none"> Allied health and therapy Personal care Nutrition Therapeutic services for independent living Home or community general respite Community cottage respite Care management Restorative care management 	✓	✓	Standard 1: The Individual Standard 2: The Organisation Standard 3: The Care and Services Standard 4: The Environment	Standard 5: Clinical Care – Outcome 5.1 Clinical Governance (Applies to the service types of care management and restorative care management only)
Category 5	Nursing and transition care	<ul style="list-style-type: none"> Nursing care Assistance with transition care 	✓	✓	Standard 1: The Individual Standard 2: The Organisation Standard 3: The Care and Services Standard 4: The Environment	Standard 5: Clinical Care
Category 6	Residential care (including respite)	<ul style="list-style-type: none"> Residential accommodation Residential everyday living Residential clinical care Residential non-clinical care 	✓	✓	Standard 1: The Individual Standard 2: The Organisation Standard 3: The Care and Services Standard 4: The Environment	Standard 5: Clinical Care Standard 6: Food and Nutrition Standard 7: The Residential Community

Introduction to a Digital Provider Obligation tool

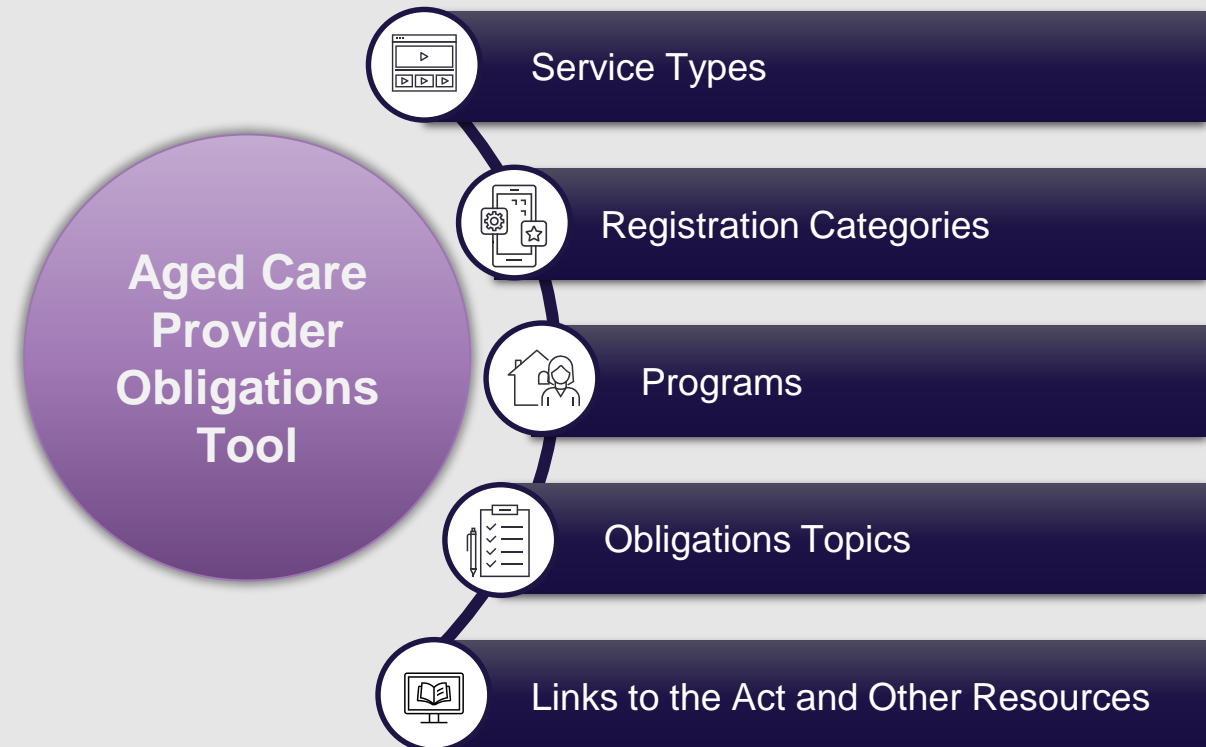
What is the tool?

An online resource for aged care providers, whether you are prospective, new, or existing.

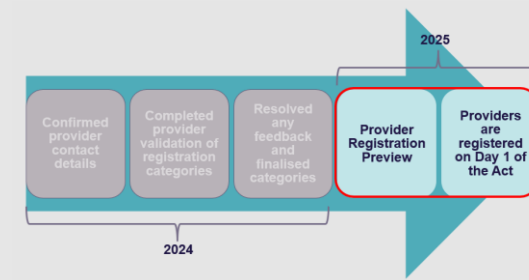
Purpose:

To support you to understand and navigate requirements under the new legislation. It will not substitute the Act or Rules, rather provides a summary of the information.

We are developing this online resource to provide details about requirements, including:



Deeming



Provider Registration Preview

- **Early April** - Provider Registration Preview email sent.
- **April - 1 June** - Providers to review PDF. You have until **5pm AEST 1 June** to update your details:
 - If information is correct – do nothing!
 - If information incorrect – Detailed instructions for all potential changes will be in the provider registration preview PDF
- **2 – 30 June** - Provider details are fixed and cannot be changed during this time.

Providers are registered on Day 1 of the Act

- **1 July** - Providers will be deemed ready for commencement of the new Act.



Australian Government

Aged Care Quality and Safety Commission

Christian Hesse

A/g Executive Director Quality Assessment
and Monitoring Group
Aged Care Quality and Safety Commission

8 May 2025





ACQSC Webinar



Compliance and enforcement

20 May 2025

2.00pm – 3.00pm AEST

- **Supervision under the new Aged Care Act**
- **Monitor compliance risk**
- **New powers**
- **Enforcement action**



Watch recordings online



Understanding the new Financial and Prudential Standards

18 February 2025



Bringing the strengthened Quality Standards to life

18 March 2025



Provider registration and renewal in practice

15 April 2025



Australian Government

Aged Care Quality and Safety Commission

Visit our website for:

- webinar registration
- sector readiness plan
- latest information
- resources
- training opportunities

<https://www.agedcarequality.gov.au>





Question and Answers





More information

- You can find more information on the department's website: www.health.gov.au/our-work/new-model-for-regulating-aged-care
- Contact us at: AgedCareRegModel@health.gov.au

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health.gov.au/aged-care-newsletter-subscribe

