



Dispute Resolution

Policy for registered supporters

Summary

This policy outlines how disputes between registered supporters, or an older person and their registered supporter, should be handled under the *Aged Care Act 2024 (Cth)* (the Act).

This policy also explores the broader concept of supported decision-making in aged care which underpins the role and purpose of registered supporters.

Disclaimer

This policy has been published in anticipation of the commencement of the *Aged Care Act 2024 (Cth)* (the Act). The information in this policy is not applicable before the Act commences on 1 November 2025.

The Act and related rules take precedence over this policy, which should be read alongside them. The guidance provided in this policy about registered supporters does not constitute legal advice.

The Department of Health, Disability and Ageing will update this policy, periodically and/or as required.

This policy is one part of the [registered supporters policy library](#). Please refer to the online version of the policies in the registered supporter policy library located on the department's website to ensure you have the most recent version.

Version history

Version	Date published	Commentary on changes
1	October 2025	First version published.

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Policy

Registered supporters

The Act establishes a legal framework for the registration of supporters, which will help embed supported decision-making across the aged care system. The registered supporter role is one of the changes under the Act that aims to promote older peoples' rights to be supported to make their own decisions.

Supported decision-making refers to processes and approaches that enable people to exercise their legal capacity, including making or communicating their decisions, will and preferences, by provision of the support they may want or need to do so. This support may involve a range of persons, services, and assistive technologies.

Supported decision-making does not mean making a decision for, or on behalf of, another person.

When acting as a registered supporter, registered supporters are required to act only in line with an older person's will and preferences. This is taken to mean the older person's **known** will and preferences – what the older person currently wants, now or in the future. This means registered supporters can only support the older person, receive information, or communicate the older person's decision if this is in line with the older person's known will and preferences.

All registered supporters also have duties under the Act that they must comply with. Registered supporters must act honestly, diligently, and in good faith when undertaking these duties. These duties are intended to promote an older person's safety, rights, will, and preferences.

The Act is designed to safeguard older people from abuse by registered supporters. As such, there are consequences for registered supporters who do not follow their duties. It is also an offence for registered supporters to act dishonestly and abuse their position.

Part of a registered supporter's duty to act in a manner that promotes the will, preferences and personal, cultural and social wellbeing of the older person they are supporting. This means the registered supporter must respect the older person's decisions even if the registered supporter does not agree with those decisions. They must support the older person only to the extent needed for the older person to make their own decisions.

Registered supporters cannot act in a manner that does not promote the older person's known will and preferences. To mitigate disputes between an older person and their registered supporter(s), registered supporters are encouraged to have open and regular discussions with the older person they support to ascertain the older person's known will and preferences about their aged care services and needs.

Further information on the duties of registered supporters is available in the [Duties policy](#).

Types of registered supporters

Relationships registered with the mutual consent of the older person and prospective supporter are labelled '**supporter**' and '**supporter lite**' relationships.

- In a **supporter** relationship, the older person has consented to automatically sharing **all** information with their registered supporter that may or must be provided to the older person under the Act.
- In a **supporter lite** relationship, the older person has **not** consented to automatically sharing all information with their registered supporter that may or must be provided to the older person under the Act. Instead, the older person can direct their supporter lite to request, access or receive certain information on a case-by-case or ad hoc basis in line with their known will and preferences once registered.

If a person is also an active, appointed decision maker for an older person and requests to register as a supporter for that older person, the System Governor may register them without the consent of the older person. The registration of an active, appointed decision maker as a supporter for an older person does not require that older person's consent because the Act acknowledges the position of people exercising decision-making authority under Commonwealth, state and territory arrangements. The decision-making authority must be of a kind recognised by the Act. A registered supporter who is also an active, appointed decision maker is labelled a '**supporter guardian**'.

The differences between these registered supporters are detailed in the [Registration policy](#).

Disputes between an older person and their supporter lite or supporter

As with all registered supporters, a supporter or supporter lite's role is limited to supporting an older person to do things under, or for the purposes of, the Act. This includes requesting, accessing or receiving information or documents and communicating information, including the will, preferences, and decisions of the older person. Supporters and supporter lites must only do these things in line with the known will and preferences of the older person they are supporting.

It is not the role of a registered supporter, including a supporter or supporter lite, to make a decision for an older person.

If an older person is unhappy with the actions of their supporter or supporter lite, they should raise this with them.

If the dispute cannot be resolved, an older person can make a request at any time to the System Governor to cancel the registration of their supporter or supporter lite. This request will be actioned immediately. The former supporter can no longer act or do a thing as an older person's supporter or supporter lite under the Act. This includes that they can no longer access or communicate the older person's information in their position as a supporter or supporter lite.

An older person may also consider that they prefer to make a complaint, rather than a request to cancel. Complaint-making is detailed in the Complaints and review of decisions policy.

Disputes between an older person and their supporter guardian

The following sections describe possible disputes involving supporter guardians.

This policy provides scaffolding for processes of dispute resolution, not guidance on outcomes for each possible dispute.

This policy also does not provide detail on disputes involving active, appointed decision makers who are not registered supporters, outside of their engagement with, or as, a registered supporter.

If an older person and their supporter guardian disagree, the supporter guardian should consider the supported decision-making principles that underpin the role of a registered supporter.

The Act adopts a will and preferences approach to supported decision-making and the role of a registered supporter. As such, when the supporter guardian is acting in their position as a registered supporter, they must act to promote the will and preferences of the older person, and act in line with the older person's known will and preferences. These are some of the parameters of a person when acting as a registered supporter; that is, acting to support an older person to make or communicate their own decisions.

Considerations of active, appointed decision makers

Commonwealth, state and territory arrangements granting a person legal decision-making authority for an older person may employ other principles and approaches to supported and substitute decision-making. These principles and approaches apply when the supporter guardian is acting in their capacity as an active, appointed decision maker. That is, if they are making a decision on behalf of the older person.

When acting on behalf of an older person, supporter guardians are required to abide by the decision-making principles of the relevant Commonwealth, state or territory arrangement. It is the responsibility of the supporter guardian to understand and act in accordance with the requirements and conditions under the legal arrangement that applies to them and their decision-making authority for the older person.

Active, appointed decision makers who are also registered as supporters are encouraged to act as a supporter wherever possible. That is, to act only in line with an older person's known will and preferences – what the older person currently wants, now or in the future.

To avoid disputes in the first place, supporter guardians should first ask the older person to make the decision themselves. In consultation with the older person, supporter guardians should consider the supports the older person may want or need to make the decision. In these cases, the supporter guardian will not need to make a decision on behalf of the older person and should instead be supporting the older person to make their own decision.

In doing so, the supporter guardian must support the older person only to the extent necessary for that older person to do things themselves. Registered supporters must act to maintain the ability of an older person to make their own decisions, and act in a manner that promotes the will, preferences and personal, cultural and social wellbeing of the older person.

If an older person is unhappy with the actions of their supporter guardian, they should raise this with their supporter guardian.

If the dispute cannot be resolved, an older person can make a request at any time to the System Governor to cancel the registration of their supporter guardian. This request must be considered by the System Governor, who will make a decision following a 28-day period given to the supporter guardian to respond to the request. If their registration is cancelled by the System Governor, the former supporter guardian can no longer act or do a thing as an older person's registered supporter under the Act. This includes that they can no longer access or communicate the older person's information in their position as a registered supporter.

An older person may also be able to have their active, appointed decision maker's authority changed or revoked. It may be necessary for the older person to obtain legal advice or other support to navigate the processes and systems that afforded someone else legal decision-making authority for them. While the processes for changing or revoking decision-making under Commonwealth, state or territory arrangements are not addressed in this policy, starting points to find further information are [provided later](#).

Disputes between registered supporters

An older person may have multiple registered supporters, with different labels, decision-making authority and/or information sharing entitlements.

When multiple supporters are registered to support one older person, the Act provides that these registered supporters may act together or separately. Differences of opinions or disputes could arise about how best to support the older person.

Disputes between registered supporters should be approached with the following considerations:

- registered supporters have duties under the Act they must comply with, including to act in a manner that promotes the will, preferences, and personal, cultural and social wellbeing of the older person, and
- registered supporters do not need agreement from other registered supporters to act. However, a registered supporter can only undertake an action under the Act as a registered supporter if they are acting in line with the known will and preferences of the older person they support.

Both considerations centre the will and preferences of the older person in any dispute between registered supporters.

Where a dispute arises between registered supporters, the older person and their registered supporters should discuss the dispute among themselves and reach an agreement informally. In attempting to resolve the dispute, the registered supporters should consider and prioritise the older person's will and preferences – registered supporters should ask

themselves about what the older person wants. If there is disagreement, they should return to the older person and seek direction from them.

If the dispute cannot be resolved or the older person is unhappy with one or all of their registered supporters, the older person can request to cancel the registration of one or all of their registered supporters.

If a registered supporter believes that another registered supporter cannot fulfil their duties, has misused information, has caused or is likely to cause abuse or neglect to the older person, or cannot otherwise act as a supporter, they can raise this with the System Governor as a complaint. If the System Governor has a reasonable belief that any of these circumstances exist, the System Governor can suspend the registration of the supporter. This can ultimately result in the cancellation of the supporter's registration.

Registered supporters are encouraged to resolve all disputes informally between themselves and the older person they support. Allegations to the System Governor that are unfounded or vexatious may be considered a breach of a registered supporter's duty to act honestly, diligently and in good faith.

Disputes between registered supporters and supporter guardians

Registered supporters can communicate and request information in line with the known will and preferences of the older person they support.

If a registered supporter who is **not** an active, appointed decision maker (that is, a supporter or supporter lite) is communicating the decision, will or preference of an older person to that person's supporter guardian, that supporter guardian should not seek to override the decision, will or preference of the older person.

- Appointed decision makers should review the Commonwealth, state or territory legal arrangement under which they may have decision-making authority for the older person. Each arrangement is different and will offer different guidance on when an appointed decision maker's authority is active.

Disputes between a supporter guardian and a registered supporter who is communicating in line with the known will and preferences of an older person ultimately come back to a dispute between the supporter guardian and the older person. The key considerations here were provided in the earlier section, '[Disputes between an older person and their supporter guardian](#)'.

If a supporter guardian is making a decision for an older person in line with a Commonwealth, state or territory arrangement, they may wish to consult with another registered supporter but may not be required to comply with any opinions or requests of the registered supporter.

- Each Commonwealth, state and territory arrangement is different. Active, appointed decision makers should review their legal arrangements to understand the extent to which they are expected to consult with an older person and those supporting them when considering, or making, decisions for the older person.

Disputes between supporter guardians

If supporter guardians have disagreements between themselves that cannot be resolved informally, they can raise a complaint about the registered supporter with the System Governor, request the cancellation of their own registration, or request the cancellation of another supporter's registration on the older person's behalf. However, supporter guardians cannot only make a decision within the scope of their active, legal authority.

The failure of a supporter guardian to act honestly, diligently, and in good faith may be considered as non-compliance with the duties of a registered supporter under the Act and may lead to the suspension and cancellation of a supporter's registration by the System Governor.

However, the System Governor cannot alter or remove the decision-making authority of a person under a Commonwealth, state or territory arrangement. Where a supporter guardian's registration is cancelled, their decision-making authority continues until revoked or amended under the Commonwealth, state or territory arrangement in which it was made or granted. The System Governor can notify other bodies, such as state and territory tribunals, if it has information relevant to the behaviour or decision-making authority of a supporter guardian (either active, suspended, or cancelled).

Disputes with aged care providers

If there is a dispute relating to an aged care provider, including their engagement with registered supporters or the rights of an older person, this should be addressed through each aged care provider's complaints process. If an older person or their registered supporter cannot resolve their dispute this way, they can contact the Aged Care Quality and Safety Commission for assistance.

The Aged Care Quality and Safety Commission can be contacted:

- by calling 1800 951 822, or
- online at <https://www.agedcarequality.gov.au/contact-us/complaints-concerns>.

Formal dispute resolution options

There are options for resolving disputes. Each offer different outcomes and may be available to different people.

Whether a dispute is between the older person and their registered supporters, or only between the registered supporters, the older person should be involved in the dispute resolution process. The older person must be at the centre of their aged care journey and decision-making.

Advocacy

The Older Persons Advocacy Network (OPAN) provides free, confidential and independent information and support to older people seeking or receiving government-funded aged care as well as their families and other people supporting them. They can be contacted:

- by calling 1800 700 600

- online at opan.org.au/.

Mediation

Older people, their registered supporters, and other people supporting them may wish to use formalised dispute resolution services such as mediation services. For example, Relationships NSW provides the “Let’s Talk” Elder Support and Mediation service to help older people and their families address issues and disagreements.

Mediation services are not arranged, facilitated or funded by the department of My Aged Care.

Requests to cancel the registration of supporters

If an older person or registered supporter has concerns which cannot be resolved informally, they can ask the System Governor to cancel the registration of a supporter. These requests could be from the older person or supporter guardian acting on behalf of an older person.

A registered supporter can request to cancel their own registration at any time.

Processes for the cancellation of a supporter’s registration are detailed in the [Registration policy](#).

If the System Governor decides not to cancel the registration of an older person’s supporter at the request of that older person, this decision is reviewable under the Act.

Complaints about registered supporters

Any person or organisation can raise a complaint or concern with the System Governor relating to a registered supporter’s conduct, including alleged non-compliance with the duties of a registered supporter.

Failure of a supporter or supporter-guardian to act honestly, diligently, and in good faith may be considered as non-compliance with the duties of a supporter and may lead to the suspension and cancellation of a supporter’s registration by the System Governor.

Complaints about Commonwealth, state and territory appointed decision makers

If anyone is concerned about an appointed decision maker and/or disagrees with the decisions they are making on the older person’s behalf, they should raise it with the Commonwealth, state or territory authority that afforded the decision maker their powers, a court or tribunal who hears disputes of this kind, or an organisation or body with authority to investigate these complaints.

The following links can provide a starting point for anyone interested in seeking further information on the laws in each state or territory relating to decision-making arrangements, and organisations like tribunals and Public Guardians who can provide assistance:

- [Australian Capital Territory](#)
- [New South Wales](#) (and the [Ageing and Disability Commission](#)).
- [Northern Territory](#)
- [Queensland](#)

- [South Australia](#)
- [Tasmania](#)
- [Victoria](#)
- [Western Australia](#)

Audience

This policy is intended for all stakeholders across the aged care system.

This policy applies to older people and those people who support them including their registered supporters, aged care providers and others who engage My Aged Care and the broader aged care system.

Roles and Responsibilities

The **System Governor** is responsible for receiving, assessing, and actioning any requests for the cancellation of a supporter's registration. The System Governor is also responsible for receiving and considering any information that might justify the suspension and cancellation of a supporter's registration, as well as whether the registered supporter's behaviour would be considered an offence under the Act.

Registered supporters are responsible for understanding their role and duties, including their duty to act honestly, diligently, and in good faith. Registered supporters must act in line with the known will and preferences of the older person they are supporting.

Older people are responsible for communicating with their registered supporters and directing them to act in accordance with known their will and preferences. If an older person is unhappy with the actions of their registered supporter, they should raise this with the registered supporter. If they cannot agree on a pathway forward, the older person can raise a complaint, or request to cancel the supporter's registration, with the System Governor.

Aged care providers and workers are responsible for engaging with registered supporters in line with the Act. This includes provision of information and documents to registered supporters who have the right to receive that information or documents under the Act, and providing registered supporters access to an older person they support. Aged care providers and workers must respect the rights of an older person under the Act. Aged care providers and workers also have broader responsibilities relating to safeguarding the welfare of older people that they provide aged care services to.

State and territory tribunals are responsible for considering applications relating to disputes between or about persons with decision-making authority for an older person under relevant state or territory arrangements.

Contact

For any further information on this policy, please contact:

Supported Decision-Making Section

Email: SupportedDecisionMaking@Health.gov.au

Definitions

To learn more about some of the terms used in this policy, and across the Policy Library for registered supporters, please go to the [Glossary](#).

Related legislation

[Aged Care Act 2024 \(Cth\)](#)

[Aged Care Rules 2025 \(Cth\)](#)