



Complaints and Reviews of Decisions

Summary

This policy outlines how a complaint can be made about a registered supporter to the System Governor, and possible outcomes of a complaint-making process. Complaints can be made at any time, by anyone.

This policy also outlines how an affected entity can request an internal review of a reviewable decision relating to registered supporters, made by the System Governor under the *Aged Care Act 2024 (Cth)* (the Act).

Disclaimer

This policy was published to support commencement of the *Aged Care Act 2024 (Cth)* (the Act). The information in this policy is applicable from 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.
2	April 2026	Review of key terms and concepts to ensure consistency across the registered supporters policy library; no policy changes made.

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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.

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.

Duties of registered supporters

Under the Act, all registered supporters have duties they must comply with.

These duties are intended to promote an older person's safety, rights, will, and preferences. Registered supporters must act honestly, diligently, and in good faith.

When a registered supporter is supporting an older person to do a thing under, or for the purposes of, the Act, the registered supporter has a duty to:

- Act in a way that promotes the will, preferences, and personal, cultural, and social wellbeing of the older person they are supporting. This may include acting in a way that promotes decisions made by the older person.
- Act honestly, diligently and in good faith.
- Support the older person only to the extent necessary for the older person to do the thing themselves.
- Apply their best endeavours to maintain the ability of the older person to make their own decisions.

Registered supporters also have a duty to declare, and avoid or manage, conflicts of interest they may have in acting as a registered supporter.

These duties apply when a person is acting as a registered supporter. This includes when they are requesting, accessing, receiving or communicating information for the older person to support the older person to make or communicate an aged care decision. They may only do so in line with the older person's known will and preferences.

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

The System Governor

The System Governor is the Secretary of the Department of Health, Disability, and Ageing (the department) and has delegated their powers and functions to other people. In tandem with the department, the System Governor is responsible for the operations and oversight of the aged care system. This includes facilitating equitable access to funded aged care services for older people, protecting and upholding the integrity of the aged care system and reviewing the Australian Government's administration of the system.

The System Governor also regulates registered supporters, including suspending and cancelling their registrations. The main pathway to provide complaints about a registered supporter to the System Governor is through the [online complaints form](#). General enquiries about the registered supporter role can be raised with [My Aged Care](#).

To ensure that the System Governor's decisions are fair, some people can also seek a review of certain decisions made by the System Governor with respect to registered supporters. These particular decisions are set out [later](#) in this policy.

Requests to cancel a supporter's registration

An older person can request to cancel the registration of their supporter, rather than make a complaint. A person can also make a request to cancel in addition to making a complaint. Complaints can be made at any time, including before or after making a request to end a supporter relationship.

Requests to cancel supporter or supporter lite relationships

If the older person consented to the supporter relationship being registered (that being, a supporter or a supporter lite), they can withdraw their consent at any time, and their request to cancel the supporter relationship will be actioned by the System Governor. This will effectively end the registered supporter relationship immediately.

The System Governor may also consider whether the registered supporter has committed an offence and/or whether other bodies or authorities should be notified, in addition to ending the relationship. The older person can also always make a complaint before, or after, asking for their registered supporter relationship to be ended.

Requests to cancel supporter guardian relationships

If the older person was **not** required to consent to the registered supporter relationship because the registered supporter relied on their authority as an active, appointed decision maker for the older person to become registered as their supporter (that is, a supporter guardian), and the older person makes a request to cancel the relationship, the Act requires that the supporter guardian be notified and provided with an opportunity to respond *before* the System Governor can decide whether to cancel the registration of the supporter guardian on the older person's request. During this time, the supporter guardian is considered an **active** registered supporter for the older person, meaning they can continue to take actions in line with the older person's known will and preferences and automatically receive or have access to information about the older person.

In certain circumstances, including where there is a risk to the older person's safety, the System Governor may consider that a complaint and/or suspension pathway is more appropriate than the older person requesting to cancel their registered supporter. In these cases, the System Governor may recommend that the older person submit a complaint instead.

However, if the older person still wishes to make a request to cancel the registration of their supporter in these circumstances (that is, where the registered supporter is a supporter guardian), and was made aware the supporter guardian will still be able to act as a registered supporter while the request is considered by the System Governor, the System Governor must follow the processes required by the Act. Nevertheless, the System Governor may also

consider whether the registered supporter has committed an offence and/or whether other bodies or authorities should be notified.

The older person can always make a complaint before, or after, asking for their registered supporter relationship to be ended.

Further information on suspension and cancellation processes is available in the [Cancellation policy](#) for registered supporters.

Further information on the consent requirements in registered supporter relationships is available in the policies for [Registration](#) and [Choice and Control](#).

Complaints

In the context of this policy, a complaint is when a person makes a disclosure, raises a concern or grievance, or otherwise provides information or an allegation about abuse, neglect, mistreatment or wrongdoing by a registered supporter to the System Governor.

Complaints can be made about a current or former registered supporter at any time, by anyone. This includes an older person, the people who support them, other registered supporters, aged care providers, medical or allied health professionals or any other person who is concerned for the welfare or treatment of themselves or an older person.

This policy does not cover complaints about:

- general engagements with My Aged Care
- decisions made by the System Governor *other than* those relating to registered supporters
- the behaviour of a person who is *not* registered as a supporter (for example, an aged care worker), or
- the conduct of an aged care provider.

Information about the best avenues to find information about complaints of the kind listed above is provided [later](#) in this policy.

Agreement to raise a complaint

Any person can raise a complaint in their personal capacity.

If a registered supporter wants to raise a complaint for an older person in their role as a registered supporter, they must:

- act in line with the known will and preferences of the older person they support, or
- have active, legal authority to make this decision on behalf of the older person.

In either case, the older person should be involved in actions and complaint-making that relate to them.

If any person has concerns about an older person, they should always raise this with the older person in the first instance. Older people should remain at the centre of decisions that affect them.

The department has published a policy on [Dispute Resolution](#), specific to the registered supporter context.

Anonymity

People can choose to remain anonymous when raising a complaint. However, the System Governor may not be able to contact the complainant and investigate their complaint if further information is not provided.

Whistleblowers

Under the Act there are protections for **whistleblowers** – people who call out or report issues or concerns. These protections aim to ensure that aged care workers, as well as older people, their families, carers, and anyone else supporting an older person or concerned about an older person's welfare (including registered supporters) can raise concerns or report information without fear that they will be punished or treated unfairly.

A report can be made about someone, or an organisation, who has not followed the Act.

If someone makes a report, they will:

- be protected from any negative results that come from making the report.
- have their identity or identifying information protected, with some exceptions – for example, where it is necessary to share information with the Aged Care Quality and Safety Commission or a lawyer, or to prevent a serious threat to a person or people.

The report can also be made anonymously.

If an older person wants to make a report that is covered by the whistleblower protections, they should make the report directly to:

- an Appointed Commissioner or a member of the staff of the Aged Care Quality and Safety Commission
- the System Governor, or an official of the department
- a registered provider
- a responsible person of a registered provider
- an aged care worker of a registered provider
- a police officer, or
- an independent aged care advocate.

This means a report made to the System Governor and officials of the department may be covered under the whistleblower protections.

However, an older person should not disclose information to their registered supporter, if they want that disclosure to be covered by the whistleblower protections.

Reports covered by the whistleblower protections can be made to the department by:

- writing to GPO Box 9848, Canberra ACT 2601, Australia
- emailing agedcarewb@health.gov.au.

More detail on whistleblowers is available on the [department's website](#).

How to raise a complaint about a registered supporter

Anyone can make a complaint about a registered supporter by:

- calling My Aged Care on 1800 200 422, or

- submitting a complaint directly to the System Governor responsible for registered supporters.

The direct complaints pathway is comprised of an online form, accessible on the department's [webpage for registered supporters](#), that can be completed by any person or body wishing to make a complaint. The online form requires the person or body to detail the complaint and enables them to upload any relevant documents or attachments.

This online form is complemented by a [template form](#) (that is, a Word or PDF document) that can also be used to make complaints about registered supporters. The template can be attached as part of completing and submitting the [online form](#).

Complaints made to My Aged Care

Where a complaint about the conduct of a registered supporter is made to My Aged Care via the My Aged Care contact centre, the complaint will be escalated directly to a team within the department with System Governor delegation and responsibility for registered supporters. The complaint will be provided to the departmental delegate with immediate priority if it is alleged a registered supporter:

- caused or threatened abuse or neglect to the older person
- misused information about the older person
- has not, or did not, comply with their duties as a registered supporter, or
- is no longer the older person's active, appointed decision maker, or there has been a change in their decision-making authority.

What happens after raising a complaint?

Once a complaint has been raised with the System Governor, the System Governor will consider whether the information provided justifies the suspension of a registered supporter under the Act. The System Governor may also consider whether the information should be disclosed to another person, body or authority, and/or whether a registered supporter has committed an offence under the Act.

Suspension and cancellation

The System Governor has powers to suspend and cancel a supporter's registration. This applies to all registered supporters, even if they are also the older person's active, appointed decision maker. While suspended, a person cannot act as a registered supporter for the older person and they will not automatically receive or have access to information about the older person.

Suspension and cancellation processes for registered supporters are one way that the Act safeguards an older person's autonomy and welfare. These processes mean that alleged wrongdoing by registered supporters can be investigated and responded to.

Possible reasons for suspension and the processes following this are detailed in the [Cancellation policy](#).

If the System Governor does not believe that the complaint justifies a suspension process, the System Governor may refer the complainant to [alternative options](#).

Offences for abuse of position

Current or former registered supporters can also face offences under the Act for dishonestly abusing their position as a supporter. These offences attract significant penalties and reflect the responsibility of registered supporters to ensure they undertake their roles with respect and integrity.

System Governor may notify others

Suspending or cancelling a supporter's registration may not be sufficient to safeguard an older person, if that suspended or cancelled supporter can continue to make decisions for the older person and access information about them under Commonwealth, state or territory arrangements as an active, appointed decision maker. Though the System Governor cannot remove or change an active, appointed decision maker's authority to make decisions for the older person, the System Governor may notify other bodies and authorities, such as state and territory courts, boards, panels or tribunals who may have regulatory responsibility for the active, appointed decision maker. The System Governor may make such a notification relating to an active, appointed decision maker, or a person attempting to make decisions on behalf of an older person, even if they have never been registered as a supporter.

Circumstances where the System Governor may notify other bodies include where the System Governor:

- Reasonably believes that the disclosure is necessary to mitigate or prevent a serious threat to the safety, health or wellbeing of an older person seeking to access, or accessing, funded aged care services.
- Reasonably believes that the disclosure is for the purpose of, or in relation to, reporting a past threat to an older person's life, health or safety to certain entities.
- Makes a written determination certifying that it is necessary in the public interest.

The System Governor may also alert law enforcement authorities.

Other ways to seek help

If you need immediate help with aged care services or getting someone to support you, please call My Aged Care on 1800 200 422.

Independent advocacy

If an older person or someone supporting them wants help understanding aged care rights and options, an independent advocate can help. Older Persons Advocacy Network (OPAN) advocates provide free, confidential and independent information and support to older people seeking or receiving Australian Government-funded aged care as well as their families and other people who provide support to the older person.

More information is available at <https://opan.org.au/> or by calling 1800 700 600.

Other pathways to raise concerns or complaints

There are numerous other avenues to raise complaints or seek advice:

- **Complaints relating to the provision of aged care services:** Aged care providers can work directly with an older person, their registered supporters, active appointed

decision makers, advocacy services, and the Aged Care Quality and Safety Commission. Older people and people supporting them can raise complaints or concerns about aged care providers, including their engagement with registered supporters, with the [Aged Care Quality and Safety Commission](#).

- **Complaints about a person's general engagement with My Aged Care**, or general questions about the registered supporter role: [My Aged Care](#).
- **Complaints about the administrative actions of Australian Government agencies**: [Commonwealth Ombudsman](#).
- **Complaints about the administration, regulation and funding of the aged care system by the Australian Government**: [Office of the Inspector-General of Aged Care](#).
- **Breaches of privacy and personal information**: [Office of the Australian Information Commissioner](#).
- **Elder abuse**: Elder Abuse Helpline at 1800 353 373 and [www.compass.info](#) for information on elder abuse (an Elder Abuse Action Australia initiative).
- **Domestic and family violence**: 1800RESPECT at 1800 737 732 and [www.1800respect.org.au](#).
- Issues relating to a decision-maker appointed under a state or territory arrangement: state and territory tribunals. General information is available on My Aged Care at [Appointed decision-makers | My Aged Care](#) and provided in the section below.
- Allegations of criminal activity: state and territory police.

Further information on state and territory laws and organisations

Find more information on the laws across states and territories 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](#)

Review of System Governor decisions

If a person is dissatisfied with a decision the System Governor has made, they may be able to have that decision reviewed. Having a process of review means people can seek redress against a decision made by the System Governor that affects them. It ensures that the System Governor's decision-making is fair, equitable, consistent and accountable, and allows for decisions to be rectified if they are wrong.

‘Reviewable decisions’ and ‘affected entities’

The Act set out that certain decisions of the System Governor can be reviewed. The decisions that can be reviewed are called ‘**reviewable decisions**’, and the people who can seek review are known as the ‘**affected entities**’.

An affected entity may request review of a decision. Depending on the decision, the affected entity related to registered supporters will be the:

- older person
- person who has been cancelled as a supporter, or
- person who the System Governor has decided not to register as supporter.

The following decisions relevant to registered supporters are reviewable under the Act, pursuant to section 557, items 1-6:

Decision made by the System Governor	Person/s who can seek internal review
Decision not to register a person as a supporter of an older person	The older person, and The person who the System Governor has decided not to register as a supporter
Decision to register a person as a supporter of an older person without the older person’s consent (that is, a supporter guardian) Note: this may include consideration of the nature of the active, appointed decision maker’s authority including the extent to which it extends to making decisions relevant to the delivery of funded aged care services to the older person	The older person
Decision to cancel the registration of a supporter following suspension	The person whose registration as a supporter has been cancelled
Decision not to cancel the registration of a supporter guardian on request of the older person	The older person

Additionally, the System Governor can at any time reconsider a decision made under the Act on their own initiative if they consider there is sufficient reason to do so. There is no need for any person to make a request for this to occur. The System Governor’s delegate will advise the affected entity if a decision is being reviewed on the System Governor’s own initiative. The affected entity will also be notified of the outcome of the reconsideration.

Internal review

An affected entity may request that a reviewable decision be reconsidered. This is known as an internal review. The person who reconsiders the decision is known as the '**internal decision reviewer**'. In an internal review of a decision, the internal decision reviewer will check if the right decision was made under the Act by looking at the facts and circumstances at the time of the internal review. This may include taking into consideration any new information available to the internal decision reviewer since the reviewable decision was made.

The internal decision reviewer may ask the older person, registered supporter, other people supporting the older person, aged care provider or any other relevant person or entity for more information when reconsidering the decision.

A request to seek an internal review is free of charge. An affected entity can ask someone to help them seek review. However, the request must clearly come from the affected entity.

Internal decision reviewer

The same person who made the reviewable decision must personally reconsider the decision. Alternatively, the same person may have the reviewable decision reconsidered by a delegate. This is someone who was not involved in making the original decision, but who occupies a position that is at least the same level as the original decision maker.

As noted earlier, the person who reconsiders the decision is known as the internal decision reviewer.

How to request an internal review

If an affected entity is seeking the internal review of a reviewable decision, they must put the request in writing and set out reasons for the request. If there is additional information that would assist the internal decision reviewer to consider the request, it is encouraged that such information is provided at the time the request is made.

An affected entity can ask for internal review of a decision by sending a letter with any supporting information to:

The Secretary
Department of Health, Disability and Ageing
Attn: Review of Decisions Section
GPO Box 9848, Adelaide SA 5001

A person must make a request for internal review to the System Governor within 28 days of being notified of the decision that the review request relates to. For example, if a person whose registration as a supporter was suspended is dissatisfied that the System Governor subsequently made a decision to cancel their registration, the person whose registration has been cancelled must request that the decision be reviewed within 28 days of receiving the notification of the System Governor's decision to cancel their registration, if they wish to seek an internal review of the decision.

The System Governor may consider allowing a longer timeframe for an affected entity to request that a decision be reviewed, on a case-by-case basis.

Once the System Governor receives a request, they will acknowledge it in writing within 14 days. The decision will be reviewed within 90 days after receipt of a valid request, not counting any time needed to seek further information.

Outcomes of an internal review

The internal decision reviewer may either affirm, vary or set aside the original decision. If the decision is set aside, a new decision will be made. A decision made by the internal decision reviewer is known as the '**reconsideration decision**'.

The outcome of a review will be notified to each affected entity in writing. This includes the date the reconsideration decision was made and reasons for the decision.

If a notice of the reconsideration decision is not given to each affected entity within the required timeframe to make a reconsideration decision, the reviewable decision is taken to have been affirmed.

Pathways to seek external review

An affected entity may also seek merits or judicial review of a decision of the System Governor.

- **Merits review:** Under the Act, an affected entity for a reviewable decision may apply to the [Administrative Review Tribunal](#) (ART) for the review of a reconsideration decision.

As part of the internal review process, when notifying the affected entities of the reconsideration decision, the System Governor will detail the affected entities' right to apply to the ART for merits review. This is known as an **external review**. A review by the ART involves reviewing the decision itself. This process is not automatic, and the affected entity must apply to the ART for this further review. There is a fee associated with seeking review to the ART.

ART may affirm, vary or set aside the reconsideration decision. If the ART sets aside a decision, it may make a substitute decision or remit the matter to the decision-maker (that is, the System Governor or internal decision reviewer) to reconsider the decision as ordered or recommended by the ART.

- **Judicial review:** a person may also seek judicial review of a decision to a court. This type of review does not consider the decision that was made by the System Governor, but the process by which the decision was made. This process is not automatic, and the affected entity must apply to the relevant court for this further review. There is a fee associated with seeking review to a court.

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 registered supporters and aged care providers or workers, as well as any other person who engages with My Aged Care, the System Governor, or the broader aged care system.

Roles and Responsibilities

The **System Governor** is responsible for receiving, assessing, and actioning any requests to review decisions made by the System Governor. The System Governor is also responsible for receiving, considering, and taking appropriate action for any complaints that are made about registered supporters, the System Governor or the My Aged Care system. This might include suspending and/or cancelling the registration of a supporter.

Supporters are responsible for understanding their role and duties, including to act only in line with the known will and preferences of the older person they are supporting. However, registered supporters can make a request for a decision to be reviewed without the agreement of the older person where the registered supporter is an affected entity under the Act. Registered supporters can also submit complaints or concerns at any time without the agreement of the older person, if they are doing so in their personal capacity.

Older people are responsible for communicating with their registered supporters and directing them to act in line with 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 escalate a concern, complaint, or request for the supporter's registration to be cancelled with the System Governor.

Aged care providers and workers are responsible for upholding their obligations under the Act to safeguard against abuse, including by registered supporters. They should work with older people and their registered supporters to facilitate effective supported decision-making and to manage any concerns. If appropriate, they may submit a complaint or concern about a registered supporter to the System Governor.

The **Aged Care Quality and Safety Commission** (the Commission) is responsible receiving complaints from older people, their registered supporters, and the public about aged care providers. They receive reports under the Serious Incident Response Scheme. The Commission may share allegations of abuse perpetuated by registered supporters with the System Governor and/or appropriate law enforcement entities.

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 \(Cth\)](#)