



Aligning regulation across care and support

Why is regulatory alignment important?

Similar services are provided across aged care, disability support and veterans' care. It is estimated that approximately 36% of aged care providers service the cross-sector market under separate regulatory frameworks. While some differences across settings are appropriate, duplication in regulatory requirements is a barrier to consistent quality and safety and the overall efficiency of the market. It inhibits providers from operating more seamlessly in delivering services across multiple programs, adds to costs and is a disincentive for market development and growth. Reform will seek to reduce the regulatory burden on providers while strengthening protections to ensure quality and safety for participants and consumers.

Approach for alignment

The 2021-22 Budget included measures to align regulation across the care and support sectors. This includes activities regarding provider and worker regulation. The regulatory alignment reform program across the National Disability Insurance Scheme (NDIS), disability services, aged care and veterans' care will take a staged approach. The first stage will incorporate stakeholder consultation, evidence and best practice to inform areas for alignment including:

- Amending legislation to improve sharing of regulatory data and intelligence between regulators and align compliance and enforcement powers.
- Exploring opportunities to align requirements for behaviour support and restrictive practices.
- Piloting integrated assessments/audits for aged care and the NDIS.
- Review of standards, working towards shared core set of care and support standards.
- Analysing quality and safeguarding in grants, procurement and panels.
- Care and Support Worker Screening Check and a Code of Conduct.

Care and support sector stakeholders will be consulted on options for medium and longer term regulatory alignment reform. The approach for alignment will be guided by an agreed set of principles:

1. uphold the rights of, and promote the health, safety and wellbeing of any person receiving services across the care and support sector
2. align regulations where we can, unless there is a particular reason not to because of differences across settings
3. recognise there are strengths and opportunities for improvement in each sector
4. create efficiencies in regulatory systems, and avoid duplication and unnecessary regulatory effort, while not diminishing protections for any Australians receiving care or supports
5. be evidence-based, using best practice approaches that are proportionate to the level of risk
6. ensure there are appropriate quality and safeguards protections in place for participants and consumers

7. drive continuous improvement in provider and worker conduct and performance across the sectors
8. promote equity and choice in service access and person-centred care and supports
9. implement a collaborative and innovative consultation approach.

What are the next steps? How do I find out more?

A consultation process is planned for later in 2021 with opportunities for relevant stakeholders to help shape the regulatory alignment reform program. The Department of Health, Department of Social Services and Department of Veterans' Affairs are leading the regulatory alignment reform program. The work is supported by a cross agency taskforce hosted by the Department of Health. For further information, contact RegulatoryAlignmentTaskforce@health.gov.au