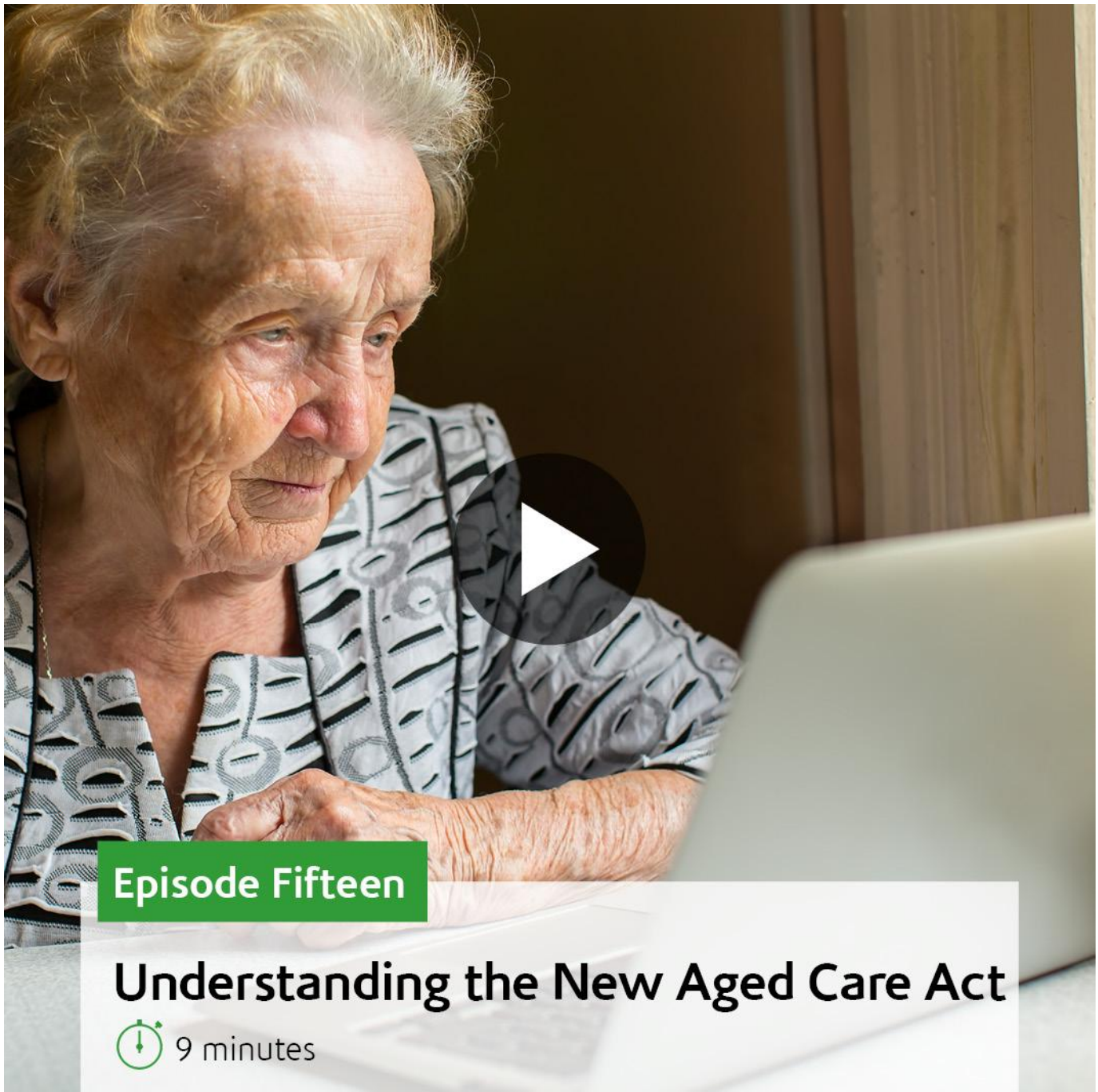


Age Old Problems: New Aged Care



A podcast by Helping Hand



Episode Fifteen

Understanding the New Aged Care Act



9 minutes

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Episode 15: Understanding the New Aged Care Act



Helping Hand

00:00:00 Kate

Welcome to *Age Old Problems: New Aged Care*, a podcast by Helping Hand that offers information and advice to help you find and access the right aged care services. This podcast was recorded on Kaurua Land.

00:00:22 Kate

Hello and welcome to another episode of Age-Old Problems, New Aged Care. The 1st of November 2025 was a big day for older Australians and those working in the aged care sector. It marked the most significant aged care reforms in more than 30 years with the introduction of the New Aged Care Act, Strengthened Standards and the Support at Home Program.

00:00:40 Kate

The Aged Care Act 2024 introduces a rights-based framework. Older people now have explicit, legally enshrined rights when accessing aged care services. Under the new Act, there is a clear Statement of Rights for care recipients, and the new strength and standards define exactly what high quality care should look like. This means changes both for those receiving care and those delivering care.

00:01:00 Kate

Joining us today to better understand the implications of the reforms is Luci Badge, Company Secretary with Helping Hand. Welcome Luci.

00:01:07 Luci

Hi Kate.

00:01:08 Kate

Okay, let's start by hearing about your role at Helping Hand. What exactly is it that you do?

00:01:12 Luci

So I'm the Company Secretary and a key aspect of my role is to support the Board and the leadership team to have strong and effective governance. So this means that our systems are clear and the decision making is transparent and the Board has the right information to oversee high quality care.

00:01:27 Luci

I also support the Board and leadership team to meet our legal and regulatory obligations. And so recently the aged care reform has been a key focus of my role. And so I've been able to really understand what these reforms mean for not just the sector but for older Australians.

00:01:42 Kate

You would have been very busy. So can you list for us again the changes that came into effect in the aged care industry on the 1st of November?

00:01:49 Luci

Yes, so the first one I remember was a huge moment for the aged care sector. We saw the introduction of the new Aged Care Act, which also encompassed the strengthened quality standards and the introduction of the Support at Home program.

00:02:01 Kate

So they've been described as the biggest reforms in the aged care sector in more than 30 years. What are the key differences with the new Aged Care Act?

00:02:08 Luci

You may have seen that the new Act's been described as a person-centred, rights-based approach, and this is underpinned by two really important factors. Firstly, the introduction of the Statement of Rights. The Statement of Rights sets out in really plain language what an older person can expect to receive when they enter the aged care system.

00:02:26 Luci

So these rights cover a range of topics from the right to make your own decisions to the right to stay connected to a community. For older Australians, the Statement of Rights means you are in the driver's seat and it gives providers clear benchmarks of what good care looks like.

00:02:42 Luci

Another key aspect is the way the Act defines high quality care. So this places an expectation on providers to prioritise kindness and tailored care to personal needs. So providers like Helping Hand, it means we must have a culture and the systems in place to not only keep residents safe, but to listen to them and to build trust and understanding and support them to live the life they choose. It's not transactional.

00:03:06 Kate

So how does the new Statement of Rights differ from the old Charter of Rights?

00:03:10 Luci

So the biggest difference is the new Statement of Rights is written into the legislation. The old Charter of Rights wasn't legally enforceable in the same way. Because it's now a condition of our registration, older people have clear pathways to raise concerns and to hold providers accountable when their rights aren't upheld. For providers like Helping Hand, it means we must actively take all reasonable steps to uphold those rights. And we need strong systems, clear practices and a culture that supports people to exercise their rights every day. And more importantly, the Statement of Rights being enforceable gives older people more confidence that they can be heard and that their rights can be upheld. They're not aspirational statements anymore.

00:03:49 Kate

Being heard is a really important part of this because what is known as a whistleblower, it's someone who might speak up about behaviour that they deem to be unacceptable. Even though that seems like a reasonable thing to do, sometimes people don't do that because they're worried about retribution. But the changes to the Act mean that there is more protection for someone who wants to speak up now, isn't there?

00:04:07 Luci

So what we've seen with the introduction of the new Age Care Act is the strengthening of whistleblower protections for older people. This means that providers like Helping Hand have an obligation to develop whistleblower systems where older people can raise concerns in a safe way and anonymously and have an expectation to have those concerns taken seriously.

00:04:27 Kate

Can anybody be a whistleblower? Like what if you're a family member? Are you allowed to stand up and say something then? And do you have to have witnessed what you deem to be problematic behaviour firsthand?

00:04:36 Luci

Yes, the really interesting thing about the whistleblower protections under the Aged Care Act is that they're really broad, so anybody can raise concerns. You don't have to be an older person, you can be a family member, a staff member, you don't even have to have a connection with that particular service. And interestingly, you don't even have to have first-hand knowledge of the act, you just need to have a suspicion.

00:04:56 Kate

And then you will be heard.

00:04:57 Luci

And you'll be heard, yeah.

00:04:58 Kate

So the role of supporters is something else that's changed under the new Aged Care Act. Can you explain the new registered supporters system – and I think this refers to people wanting people to be by their side while they make decisions about their future, is that right?

00:05:09 Luci

Yeah, so it's interesting and fundamental to the New Age Care Act is this concept of nothing about me without me. So you are in the driver's seat, you make decisions about your care and providers have an obligation to continuously support you to make those decisions. That means making sure that you've got access to the right information to understand the choices in how care will be delivered to you. But sometimes we know that older people want support to make those choices. And so what the department has done is to introduce a tiered system of what they call supporters.

00:05:41 Luci

And so if an older person wants to, they can register on My Aged Care to have a supporter and that's tiered. So if you have a supporter, that means that they receive information and can support you to express your wills and desires. They can't make decisions on your behalf. If you've got a supporter light, this is more of a light touch approach. So they can support you to express your wills and preferences, but they can't receive information about you. So it protects in a greater way your privacy and your right to privacy.

00:06:10 Luci

And then there's a third tier, which is a supporter guardian. So this is where a legal guardian has been appointed. And so they will automatically receive information about your care and they can make decisions on your behalf.

00:06:21 Kate

So if somebody wanted to get a better understanding of that system, is My Aged Care, the website, probably the best place to go?

00:06:26 Luci

Yeah, so the My Aged Care has developed a range of policies that not only providers, but older Australians and also their supporters on what the obligations are for registered supporters and how they conduct that role.

00:06:39 Kate

And does this come in because, as you mentioned earlier, there does seem to be that complication where people really do like to have support by their side, is that something that you would recommend, people trying to have support with them when they're making these decisions?

00:06:50 Luci

Like in life, it's not one size fits all. So some people are fiercely independent and don't want the people around them to be part of their decision making and some people really like to have that type of support. So it's really putting the choice back with the older person, but also for the provider to provide clarity on who those people are that we engage with when providing care and services to that person.

00:07:12 Kate

And this is something that's come up across many of our episodes that we've done for this podcast. The New Age Care Act, it's really putting a focus on person-centered care. But that's also something that Helping Hand has always tried to do. So reflecting on these changes, how do you think that you and the people that you work closely with are feeling about the changes?

00:07:29 Luci

I think we're really excited to see it legislated. You know, we've done a lot of work over a long time to make sure that care is delivered in a really person-centered way. Recently, we engaged with our consumer advisory body who held focus groups across our business to understand what that person-centered care means to them. And what we found out is that it's no one-size-fits all. So some people do like to have the independence. Some people like real care and support every day.

00:07:53 Luci

For us, it's really about having the culture and the systems in place to really understand who that person is, what brings them joy, what their fears are, and what life was like before they came into care and to make sure that we can tailor our care and services to meet their needs.

00:08:07 Kate

That's great. So as you said before, it's not a transactional engagement, it's very much relationship driven.

00:08:12 Luci

Relationship driven, yeah.

00:08:13 Kate

Okay, so there's lots to digest here, but it all sounds really positive, especially for the person who's being cared for, which is excellent. Now you mentioned My Aged Care, the website as a place to access some information, and we will make sure we've got the website details and numbers there and also some details for advocacy groups that people can reach out to. Before we wrap, Luci, just what do you think's the one piece of advice or information coming out of this chat that you'd like people to remember?

00:08:35 Luci

One foundational takeaway, I think, is to encourage older people and their families and people close to them to speak up. So the Age Care Act looks towards continuous improvement of the sector. So there are always ways that we can improve the services that we provide. And we need your feedback to know where things are needing to be strengthened. So your voice matters.

00:08:58 Kate

Thanks so much, Luci. And talking to you before we started the podcast I could tell that you are very genuine about looking after people right from when we're born right through to when we age, and we need to age well and be cared for and with dignity, and, you know, you're doing your best to make sure that happens. So thank you and thank you for sharing your information.

00:09:13 Luci

Thank you.

00:09:17 Kate

For more information on Helping Hand and their services, please head to helpinghand.org.au or call Helping Hand directly on 1300 653 600.