



How we regulate aged care workers' behaviour for your wellbeing and safety

All people receiving aged care have the right to a positive, safe aged care experience. The Aged Care Quality and Safety Commission (Commission) works with providers to make sure that the people working in aged care have the right skills, experience and attitude to safeguard the health, safety and wellbeing of older people in their care. This fact sheet explains how we will support you if you have concerns or complaints about the behaviour of those people who are caring for you.

Code of Conduct for Aged Care

The [Code of Conduct for Aged Care](#) (Code) must be followed by everyone working in aged care. It describes how providers, their governing persons (for example, board members) and workers (including volunteers) must behave and treat people receiving aged care.

The three main purposes of the Code are to:

- support older people's right to personal choice, dignity and respect
- promote kind, honest and respectful behaviour
- keep people receiving aged care safe from harm.

Suitability of aged care workers

There are several ways that the Commission monitors and assesses whether a person working in aged care is suitable to provide aged care and is complying with the Code. These include:

- gathering information during audits and monitoring visits to aged care services, including speaking with older people receiving care, their family and representatives, carers and staff
- responding to complaints
- responding to reports of serious incidents
- requesting information from providers
- requesting information directly from a person working in aged care
- receiving referrals from other regulators about an individual working in aged care.

If we find that a person working in aged care is not suitable, or if they are not complying with the Code, we will take action to address the risk that they pose to older people. This may include:

- working with their provider to make sure they take steps to make sure that the aged care worker (or volunteer) act consistently with the Code
- giving a 'reminder of obligations' letter to the aged care worker to remind them of their responsibilities under the Code, and prompt them to change their behaviour
- giving a 'caution letter' to the aged care worker to tell them our concerns about their behaviour, their responsibilities under the Code, how we monitor whether their behaviour of concern continues or reoccurs and what we will do if it does continue or reoccur

- asking the aged care worker to complete specific actions, such as additional education or training
- doing an investigation into the behaviour and/or suitability of the aged care worker, and/or their provider's responsibility relating to the Code
- issuing a banning order to stop or restrict an aged care worker from being involved in aged care, either temporarily or permanently.

If you feel uncomfortable or have concerns about the care you or another person is receiving, we are here to listen and act.

If we have given a banning order to an aged care worker, we will publish their identifying information and details of their banning order on our website in the [Register of Banning Orders](#).

We expect providers to regularly check the register to make sure that the people they currently or are intending to employ do not have an active banning order that stops or restricts them from performing their current or intended role. This includes volunteers who may be engaged by a service.

If we have given a 'reminder of obligations' or 'caution' letter to an aged care worker, we will not make this information public. However, we may give a copy of the letter to the person's aged care provider when needed to make them aware of the matters raised in that letter, and/or for the provider to better support the person to comply with the Code.

It's important to understand that there may be limits on what information we can share with you about our decisions and findings in relation to a worker. For example, we can tell you if we have issued a caution letter, but we may not be able to share the details of that letter. This is because we have a responsibility to protect the personal information we collect about individuals and certain information about providers.

How you can raise concerns about your care

Handling complaints is one of our most important responsibilities. We work with you, your family, representatives, and your aged care provider to address any concerns and to ensure your safety.

If you feel uncomfortable or have concerns about the care you or another person is receiving, we are here to listen and act. This includes concerns you might have about someone who is providing your care.

You might want to discuss:

- how you or other people are treated by the people caring for you
- the cleanliness and maintenance of your home
- staffing concerns, such as the qualifications and behaviour of people providing your care.

It's important that you provide us with as much detail as you can about your concern or complaint. This helps us to better understand your concerns and decide the most appropriate action to take. You may wish to give us details such as:

- the date and time the incident/s occurred
- name/s of care recipients involved
- name/s of the provider involved
- name/s of aged care service involved
- name/s of individuals working in aged care involved
- an outline of the issues/concerns involved
- examples of related events.

Our priority will always be to assess the seriousness of any risks to your safety, health and wellbeing.

Your protections

Your wellbeing is our top priority. If you raise a concern or complaint with the Commission, you have the right to:

- **Privacy:** your identity can remain confidential if you choose
- **Anonymity:** you can report issues without revealing your name
- **Transparency:** If you wish your identity can be shared to directly address the issue.

Let us know what makes you most comfortable when you are discussing your concerns. It is your choice.

Our contact information

Phone: 1800 951 822 (free call)

Email: info@agedcarequality.gov.au

Online: Submit a form our website

Mail: Aged Care Quality and Safety Commission, GPO Box 9819, in your capital city.

Interpreting services: If you need an interpreter call 131450 and ask for the Aged Care Quality and Safety Commission.

If you would like assistance to speak to your service or us, the Older Persons Advocacy Network can help.

Phone: 1800 700 600

Online: <https://opan.org.au/contact-us/request-advocacy-help-or-information/>

Further information

You can read about making a complaint here – <https://www.agedcarequality.gov.au/contact-us/complaints-concerns/what-do-if-you-have-complaint>

You can read more about the Code of Conduct in Aged Care here – <https://www.agedcarequality.gov.au/resource-library/code-conduct-aged-care-code>

You can view information on whether a service is meeting this obligation here – <https://www.agedcarequality.gov.au/service-and-reports>

You can view the banning order register here – <https://www.agedcarequality.gov.au/providers/non-compliance/banning-orders>

The Aged Care Quality and Safety Commission acknowledges 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.

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Phone

1800 951 822



Web

agedcarequality.gov.au



Write

Aged Care Quality and Safety Commission
GPO Box 9819, in your capital city