

The New Aged Care Act

Quality Standards

Series update



On 7 February 2024, the Aged Care Quality and Safety Commission (ACQSC) opened public consultation on its draft guidance in support of the final draft of the new strengthened Aged Care Quality Standards (New Quality Standards). The final draft of the New Quality Standards was released on 15 December 2023 and will replace the existing standards. It is expected that the New Quality Standards will commence on 1 July 2024, in conjunction with the passage of the new Aged Care Act (New Act).

Background

The New Quality Standards are drafted in response to recommendations made by the Royal Commission into Aged Care Quality and Safety that there be an urgent, and thereafter ongoing, review of the Standards.

Consistent with the rights-based approach in the New Act, the New Quality Standards will define the kind of aged care that providers are expected to deliver in an evolving and complex regulatory framework. The New Quality Standards will also seek to be clearer, reduce duplication and increase accessibility.

The existing eight Quality Standards will be reduced to seven New Quality Standards. Centred around Standard 1 'The Person', the New Quality Standards aim to provide individuals who receive care services with a sense of safety, autonomy, inclusion and quality of life.

The New Quality Standards intend to clarify expectations of safe quality care and help guide providers to lift performance in the delivery of care. Each new Standard consists of an expectation statement for older people, the intent of each Standard, the outcome that providers will be assessed against, and the actions which providers might take to achieve the outcome.

At this stage, it is not clear how the New Quality Standards will interact with the Statements of Rights and Objects provisions in the New Act.

New Regulatory Model

Under the New Quality Standards, providers will be assessed against their registration category. We expect there to be six different registration categories which are grouped based on the characteristics, risks and obligations of the provider. Audits against the New Quality Standards are an important element in the new regulatory model to ensure the delivery of quality care under the New Act.

Performance against the New Quality Standards will be used by the ACQSC when considering a provider's registration application. This is a distinct change from the current Aged Care Act, where all the standards apply equally to every provider.

Under the New Quality Standards, home and community services (Category 1), assistive technology and home modifications (Category 2) and advisory services (Category 3) will not be subject to performance audits.

Personal and social care services (Category 4) are subject to Standards 1 to 4, nursing and care management services (Category 5) are subject to Standards 1 to 5 and residential care (Category 6) are subject to Standards 1 to 7.



New Assessment Categories

Category	Description	Service types	Application to registration categories		
			Provider Obligations	Aged Care Quality Standards Core 1-4	Aged Care Quality Standards Modules 5-7
1	Home and community services	<ul style="list-style-type: none"> Domestic assistance Home maintenance and repairs Meals and nutrition Transport 	✓		
2	Assistive technology and home modifications	<ul style="list-style-type: none"> Goods, equipment and assistive technologies (non-digital) Home modifications 	✓		
3	Advisory services	<ul style="list-style-type: none"> Care management (basic) Assistance with care and housing Specialised supports 	✓		
4	Personal and Social care in the home or community (including respite)	<ul style="list-style-type: none"> Transition care services Allied health Person Care Social support and community engagement Flexible, centre based and cottage respite 	✓	1: The Person 2: The Organisation 3: The Care and Services 4: The Environment	
5	Nursing and complex care management	<ul style="list-style-type: none"> Nursing Care management (complex) 	✓	1: The Person 2: The Organisation 3: The Care and Services 4: The Environment	5: Clinical Care
6	Residential care	<ul style="list-style-type: none"> Accommodation services Care and services Residential respite 	✓	1: The Person 2: The Organisation 3: The Care and Services 4: The Environment	5: Clinical Care 6: Food and Nutrition 7: The Residential Community

New Audit Methodology

A new audit methodology has been developed and is currently open for public consultation. The aim of the new methodology is to ensure consistency in audits of providers against the New Quality Standards. The methodology also enables providers to understand auditor expectations by outlining the audit framework.

The ACQSC have signalled that their auditing approach will change, with the ACQSC requesting information and documents before undertaking an onsite audit, and the ACQSC proposing to meet with the governing bodies and executives of providers.

Through the audit process, providers will be graded on a scale of major non-conformance, minor non-conformance, conformance, or exceeding. The gradings are designed to incentivise continuous provider improvement and will inform registration considerations for providers. Providers will have the opportunity to comment on the audit results before they are finalised. The ACQSC is continuing to consider how audit results will inform the star rating system.

In an effort to promote sector transparency, the ACQSC has indicated that audit results may be made public.

The ACQSC will continue to refine the audit methodology as the New Act is finalised to ensure consistency with provider obligations under the New Act.

NEXT STEPS

As the Commonwealth Government's guidance on the New Quality Standards continues to develop, providers should review their delivery of care services to confirm it aligns with the New Quality Standards.

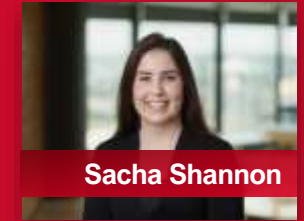
Consultation on the draft guidance on the New Quality Standards is open until **30 April 2024**. We encourage stakeholders to take an active role in the development of the guidance material to inform the New Quality Standards.

We will continue to provide updates as these reforms develop. If you would like to discuss this update, or we are able to assist in any way, please do not hesitate to get in touch.



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