

Regulatory Policy

Purpose

Home care services are largely government funded with a high reliance on Approved Providers to implement government legislation, policies and regulations. Regulation ensures that home care organisations have the necessary policies, procedures, and systems in place to deliver safe, efficient and high-quality care services, manage risks, and operate their business effectively.

Our policies incorporate the required regulatory requirements and reflect our interpretation of these regulations, aligned with our perspective on community expectations and our core values. This approach allows us to establish our own governance standards while also achieving additional goals, such as maximising care hours by keeping management fees low whilst maintaining a sustainable business.

Policy Statement

- We strive to innovate our governance and standards processes, particularly those not involving client interaction, to reduce unnecessary administrative burden. This approach enables our team to focus on delivering meaningful, safe, risk assessed care services, supported by technology.
- When implementing policies, team members should prioritise the substance over the form, going beyond mere box ticking. They should consider the underlying intent of the policy within the context of the specific circumstances.

Key Legislation and Guidelines Governing Aged Care

<u>Aged Care Quality and Safety Commission Act 2018</u>	Reviews and approves applications and provides guidance on statutory Approved Provider obligations, including mandatory reporting requirements
<u>Aged Care Act 1997</u>	Governs the approval, regulation, and funding of aged care services, ensuring quality care and the protection of care recipients' rights.
<u>User Rights Principles 2014</u>	Protects the rights of care recipients, as part of the legislative framework under the Aged Care Act 1997.
<u>Fair Work Act 2009</u>	Establishes the relationship between employers and employees, ensuring fair work conditions and preventing discrimination
<u>Quality of Care Principles 2014</u>	Sets out the standards for the quality of care and quality of life for those receiving aged care services
<u>Aged Care Quality Standards</u>	Ensures that aged care services are safe, effective, and focused on consumers, as mandated by the Aged Care Quality and Safety Commission
<u>Charter of Aged Care Rights</u>	Provides a list of rights that all people receiving Australian Government-funded aged care services are entitled to

<u>Home Care Packages Program Operational Manual</u>	Guides approved providers in understanding their responsibilities, including fees, care planning, package inclusions and exclusions, and reporting
<u>Privacy Act 1988 (Cth)</u>	Protect the privacy of individuals by regulating the handling of personal information including cybersecurity policies
<u>Work Health and Safety (WHS) Legislation</u>	Both at the federal and state/territory levels, imposes obligations to ensure the health and safety of employees, residents, and visitors. This includes providing a safe working environment, implementing risk management processes, and conducting regular safety assessments.
<u>Corporations Act 2001</u>	Imposes various corporate governance, financial reporting, directors' duties and compliance obligations, including requirements for directors to act in good faith and in the best interests of the company.
<u>Competition and Consumer Act 2010</u>	Promotes fair trading and competition to benefit consumers and businesses. It bans anti-competitive practices like cartels and misuse of market power and protects consumers from misleading and unfair practices. The Australian Competition and Consumer Commission (ACCC) enforces the Act, investigating breaches and imposing penalties. The Act ensures that businesses treat consumers fairly and operate in a competitive market, with strong penalties for those who don't comply.
<u>Code of Conduct for Aged Care</u>	A. Act with respect for people's rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions. B. Act in a way that treats people with dignity and respect and values their diversity. C. Act with respect for the privacy of people. D. Provide care, supports and services safely and competently, with care and skill. E. Act with integrity, honesty and transparency. F. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of care, support and services. G. Provide care, supports and services free from all forms of violence, discrimination, exploitation, neglect and abuse H. Take all reasonable steps to prevent and respond to all forms of violence, discrimination, exploitation, neglect and abuse or sexual misconduct.

References

See table of Key Legislation and Guidelines Governing Aged Care

Version History

Version	Summary of change	Approved by	Effective date
1	Creation of policy to ensure compliance with legislation and regulations.	Board Board	13 August 2024 17 March 2025