



Rights and Responsibilities of Residents of Aged Care Homes

Information

Residents of residential aged care homes have substantial rights and responsibilities and these are set out in a Charter as part of aged care legislation. In addition to the Charter a range of consumer support and protection measures also exist including:

- resident agreements;
- complaint mechanisms;
- support from advocacy services; and
- access to the Community Visitors Scheme.

Charter of Residents' Rights and Responsibilities

The *User Rights Principles 1997* made under the *Aged Care Act 1997* (the Act) includes a Charter of Residents' Rights and Responsibilities. The Charter details the rights and responsibilities of all residents including personal, civil, legal and consumer rights. The Charter also outlines residents' responsibilities in relation to other residents, staff and the residential aged care service community as a whole.

Resident Agreements

The Act requires a residential aged care home to offer all residents a Resident Agreement. A Resident Agreement sets out for both the resident and the management of the home what care and services are expected and will be provided.

Agreements are like a contract between the resident and the home and, as such, if you have any concerns about the content of the Agreement you may wish to take time to seek advice from friends, family, a financial adviser or a legal practitioner.

Aged Care Complaints Investigation Scheme

The Aged Care Complaints Investigation Scheme (CIS) is a free service available to anyone who wishes to provide information or raise a complaint or concern about an Australian Government subsidised aged care service, including residents of aged care homes, people receiving community aged care packages or flexible care.

Complaints can be made by a care recipient, family member, legal representative, GP, staff member, or anyone concerned about care provision. Such information can be provided on an open, anonymous, or confidential basis. Feedback is provided to a person who contacts the CIS to keep the person informed of the CIS process and the outcome of any investigation.

The Act sets out the responsibilities of approved providers who receive Australian Government funding to provide care and services to care recipients. The CIS can investigate information or complaints about cases where an approved provider may not be meeting their responsibilities under the Act.

The information, complaint or concern may be about anything regarding the care and services provided to aged care recipients. For example: care, catering, financial matters, hygiene, equipment, security, activities, choice, comfort and safety.

For further information, contact the Aged Care Complaints Investigation Scheme on **1800 550 552*** or in writing to: AgedCare Complaints Investigation Scheme C/- Department of Health and Ageing GPO Box 9848 in your Capital City.



Aged Care Commissioner

The Aged Care Commissioner has been established to independently review the way in which the CIS handles complaints. The Aged Care Commissioner can look at decisions made by the CIS in relation to the investigation of complaints and can also examine, as a result of a complaint or on their own initiative, the CIS's administrative processes for investigating complaints.

The Office of the Aged Care Commissioner can be contacted during business hours on **1800 500 294***.

Further information can be found on the Office of the Aged Care Commissioner's website at **www.agedcarecommissioner.net.au**

National Aged Care Advocacy Program

The National Aged Care Advocacy Program (NACAP) is a national program funded by the Australian Government under the Act. The NACAP aims to promote the rights of people receiving Australian Government subsidised aged care services.

Under the NACAP, the Department of Health and Ageing funds aged care advocacy services in each State and Territory. These services are community-based organisations which are there to give you advice about your rights, and help you to exercise your rights. Aged care advocacy services also work with the aged care industry to encourage policies and practices which protect consumers.

Anyone who lives in an Australian Government subsidised aged care home or receives Australian Government subsidised aged care services and would like to speak to someone about their rights, can contact the National Aged Care Advocacy Line on **1800 700 600***. Advocacy services are free, confidential and independent.

Community Visitors Scheme

The Community Visitors Scheme aims to improve the quality of life of residents of aged care homes who may be socially or culturally isolated, by facilitating one-on-one relationships with volunteers who have similar backgrounds and/or interests. Staff at residential aged care services can assist in putting residents in contact with a visitor from their local Community Visitors Scheme auspice.

*Cost of phone calls

Calls to 1800 numbers are generally free to the caller when made from a land line.

Calls to 13 or 1300 numbers are charged at a low fixed amount to the caller when made from a land line.

All calls made from mobile phones are charged at the rates applicable to each phone provider.

All calls made from public phones are charged at the rates applicable to each phone provider.