Code of Conduct for Aged Care

A fact sheet for aged care workers

The Code of Conduct for Aged Care (the Code) was introduced on **1 December 2022**.

What is the Code?

The Code:

- sets out how approved providers (providers) and their workers and governing persons **must behave and treat consumers** when providing aged care services
- **strengthens protections** for older Australians against unsafe, poor-quality aged care services

The Code includes **8 elements** that describe the behaviours expected of providers, their aged care workers and governing persons. These are explored in more detail at the end of this resource.

Why is the Code important?

The Code aims to improve the safety, health, wellbeing and quality of life of aged care consumers by:

- promoting **ethical**, **honest** and **respectful** behaviour
- building **trust** in aged care services
- **protecting consumers** against workers who pose an **unacceptable risk of harm**.

Who is covered under the Code?

The Code applies to	• Approved providers of residential, home and flexible care services • Governing persons of approved providers (e.g. board members and Chief Executive Officers) • Aged care workers of approved providers (includes volunteers, contractors and subcontractors of the provider) **Note:** Flexible care includes the Transition Care Program, Multi-Purpose Services Program and Short-Term Restorative Care Program.
The Code does not apply to	• Commonwealth Home Support Programme (CHSP) providers • National Aboriginal and Torres Strait Islander Flexible Aged Care Program (NATSIFACP) providers **Note:** These providers are still required to provide care and services that are safe and respectful and behave in a way that aligns with the Code.

What are your responsibilities?

You must act in a way that is respectful, kind and consistent with the behaviours set out in the Code. It is your responsibility to understand and follow the Code and to speak up if you have any concerns.

Have a look at *'The 8 elements of the Code – tips for workers'* at the end of this resource for more about your responsibilities under the Code.

What responsibilities do providers have?

Providers have responsibilities under the *Aged Care Act 1997* (the Act), to comply with the Code and to take reasonable steps to ensure that you, other aged care workers and governing persons comply with the Code.

They are also responsible for providing you with support, training and assistance to make sure you understand and follow the Code.

What is the role of the Commission?

The Aged Care Quality and Safety Commission's (the Commission's) role is to protect and improve the safety, health, well-being and quality of life of people receiving aged care services.

Under the Code, the Commission can take action in response to information received about conduct that is inconsistent with the Code.

Actions the Commission can take include:

- working with a provider to address concerns with conduct
- issuing a caution letter
- banning individuals from working in aged care in severe cases.

Need more information?

For more information, you can access the Code of Conduct for Aged Care Worker Guidance available on the Commission website.

If you have questions or concerns about the Code, you can chat with your aged care provider or contact the Commission by:

- completing our online contact form
- info@agedcarequality.gov.au
- 1800 951 822 (free call)
- Aged Care Quality and Safety Commission GPO Box 9819, in your capital city.

The 8 elements of the Code – tips for workers

The table below provides some practical examples of expected behaviours of each element along with examples that are inconsistent with the Code. Refer to the Code of Conduct for Aged Care Worker guidance for more examples and a range of case studies.

Element		✓ Examples of expected behaviour	✗ Examples of unacceptable behaviour
A.	**Act with respect for people's rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.**	• Asking and listening to what consumers need and want. • Talking in a way that is easy to understand. • Helping consumers to make decisions when they need support.	• Telling a consumer to do something they do not want to. • Not including the consumer in decisions about their care and services. • Keeping a consumer away from places or activities they want to see or do.
B.	**Act in a way that treats people with dignity and respect and values their diversity.**	• Respecting a consumer's social, cultural, religious and ethnic background. • Working in a way that helps consumers feel comfortable and safe. • Encouraging consumers to speak up about their likes and dislikes.	• Making fun of a consumer's social, cultural, religious, ethnic or health background. • Talking down to a consumer or treating them in a disrespectful way. • Telling a consumer their beliefs are wrong or silly.
C.	**Act with respect for the privacy of people.**	• Keeping personal information of consumers safe in line with provider policies. • Being aware of the personal privacy needs and preferences of consumers.	• Not requesting permission of consumers when providing personal care and services. • Providing personal care to consumers in places that are not private.
D.	**Provide care, supports and services in a safe and competent manner, with care and skill.**	• Using equipment safely. • Having the right skills, experience and qualifications for the job. • Following provider policies about safe and up to date work practices.	• Providing care or services you do not have the skills or qualifications to provide. • Not reporting unsafe equipment, unsafe practices or near misses to your provider.
E.	**Act with integrity, honesty and transparency.**	• Treating consumers fairly and not taking advantage of them. • Being honest about your previous experience and training. • Helping consumers understand more about their care and services.	• Lying to your provider or to a consumer about what you know, or what you hear or see. • Not disclosing a conflict of interest. • Asking or encouraging a consumer to give you money or a gift.
F.	**Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of care, supports and services.**	• Knowing how and what to do if something happens. • Speaking up and reporting concerns to the provider to reduce risk of harm. • Making sure consumers feel safe to speak up or make a complaint.	• Not taking action about a safety or quality concern. • Failing to be open and honest about a safety or quality concern. • Threatening or telling a consumer not to complain or report a concern.

Element	✓ Examples of expected behaviour	✗ Examples of unacceptable behaviour
G. **Provide care, supports and services free from:** **i. all forms of violence, discrimination, exploitation, neglect and abuse and** **ii. sexual misconduct.**	• Being alert to situations that may hurt, upset or take advantage of a consumer. • Knowing what violent, abusive or neglectful practices look like. • Not committing or participating in any form of violence, discrimination, exploitation, neglect and abuse, or sexual misconduct.	• Physically forcing or threatening a consumer to do something they do not want to. • Neglecting, taking advantage of, or abusing a consumer. • Acting in a sexual way with a consumer.
H. **Take all reasonable steps to prevent and respond to:** **i. all forms of violence, discrimination, exploitation, neglect and abuse and** **ii. sexual misconduct.**	• Following processes to help prevent harm to consumers. • Taking action about a safety risk or concern in line with the provider's systems and processes. • Cooperating with the provider and with any investigation or enquiry.	• Not raising a suspicion or concern about violence, abuse or neglect of a consumer. • Failing to report a serious or reportable incident to the provider. • Not supporting a consumer to speak up about concerns of misconduct.

Refer to the Provider Fact sheet for information about provider responsibilities in relation to the Code.

Code of Conduct for Aged Care Worker Guidance
agedcarequality.gov.au/resources/code-conduct-aged-care-guidance-aged-care-workers-and-governing-persons

Provider Fact sheet
agedcarequality.gov.au/resources/code-conduct-aged-care-fact-sheet-aged-care-providers-provider-factsheet

December 2022

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