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## Aged care rights

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### Summary

- If you are given any documents about your rights, it is a good idea to share these with your family, friends and anyone else who is helping with your care, so that they can be aware of your rights and responsibilities.
  - You should see a copy of the Charter of Care Recipients' Rights and Responsibilities – Residential Care displayed in a public area in your aged care home, or you can ask staff for a copy.
  - The National Aged Care Advocacy Program (NACAP) provides free and confidential advocacy support and information to consumers – or potential consumers – of Australian Government subsidised home care packages and residential aged care services about their rights and responsibilities. There are nine community-based NACAP organisations operating nationally. Call the National Aged Care Advocacy line on 1800 700 600 (free call) to find a NACAP provider in your area. In Victoria, this service is provided by Elder Rights Advocacy.
  - If you are not satisfied with the care you are getting, it is a good idea to talk to your aged care provider first. If they are unable or unwilling to resolve the problem, you can call the Aged Care Complaints Scheme on 1800 550 552.
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Whether you are having care at home care or living in a residential aged care home, you have the right to be treated with respect and to receive high-quality care and support at all times. The Commonwealth Government requires all aged care providers to fulfil certain responsibilities and maintain standards set by industry guidelines and charters.

If you are given any documents about your rights, it is a good idea to share these with your family, friends and anyone else who is helping with your care, so that they can be aware of your rights and responsibilities.

### Your rights when receiving home care

Any organisation (not-for-profit, private or government) that provides aged care services to you at home must follow the Home Care Standards and the Charter of Care Recipients' Rights and Responsibilities for Home Care. These regulations cover you if you are receiving aged care support through programs such as Home and Community Care (HACC) or a Home Care Package.

Home Care Standards require that your aged care service provider:

- communicates any services changes to you
- gives you all relevant information about your services
- maintains your privacy and dignity at all times
- deals with all of your complaints fairly
- allows you to choose someone to speak on your behalf.

According to the Charter of Care Recipients' Rights and Responsibilities for Home Care, you have the right to:

- be involved in deciding what care will meet your needs
  - be treated with respect
  - be given a written document that covers all aspects of your care
  - have your care and services reviewed
  - have your fees explained in a clear and simple way
  - keep your personal information private and confidential
  - make comments or complaints about your care (and have the process explained to you)
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- be provided with a copy of the charter.

You also have responsibilities under the charter, which include respecting the rights of all care workers, providing the necessary health information, abiding by the conditions of your agreement, offering access at agreed times and paying any fees outlined in the agreement.

Ask your aged care provider for a copy of the charter or download one from the [Department of Social Services](#) website.

For more information about the Home and Community Care Program (HACC) in Victoria and your rights and responsibilities visit the [HACC](#) website.

To make a complaint about a HACC service in Victoria email [hacc@dhhs.vic.gov.au](mailto:hacc@dhhs.vic.gov.au)

### **Charter of Care Recipients' Rights and Responsibilities – Residential Care**

Everyone living in a residential aged care home approved by the Commonwealth Government is covered by the Charter of Care Recipients' Rights and Responsibilities – Residential Care. The document outlines your rights and responsibilities and those of your residential aged care home.

You should see a copy of the charter displayed in a public area in your aged care home, or you can request a copy from the staff. The charter is also available to download from the [Department of Social Services](#) website.

### **Your rights in a residential aged care home**

All residential aged care homes must meet accreditation standards in order to get funding from the Commonwealth Government. These standards are regularly assessed by the Australian Aged Care Quality Agency which requires all aged care homes to show that they are continuing to improve their services.

### **Non-compliance and sanctions**

If a residential aged care home is found to be not meeting the required standards, the Department of Social Services will issue a notice of non-compliance or impose sanctions. If you are using the [aged care home finder](#) on the My Aged Care website to look for a residential aged care home, you will be able to see if it has a sanction in place.

For more information see the [Rights and responsibilities – residential care](#) page on the My Aged Care website.

### **Aged care advocacy services**

If you do not feel confident about dealing with your service provider regarding your rights, contact the National Aged Care Advocacy Program (NACAP) on 1800 700 600 to find an advocate who can support you.

### **Aged care complaints**

If you are not satisfied with the care you are getting, it is a good idea to talk to your aged care service provider first. If they are unable or unwilling to resolve the problem, call the Aged Care Complaints Scheme on 1800 550 552, or register your complaint on the [Aged Care Complaints Scheme](#) website.

### **Aged Care Commissioner**

If you have made a complaint to the Aged Care Complaints Scheme but you are not satisfied with their response, the next step is to contact the Aged Care Commissioner (the Commissioner). The Commissioner will look into complaints made about the Australian Aged Care Quality Agency and the Aged Care Complaints Scheme.

New laws that come into effect in 2016 mean that the Office of the Aged Care Commissioner will take over responsibility for all aged care complaints in Australia.

For more information see the [Office of the Aged Care Commissioner](#) website.

### **Where to get help**

- [Aged Care Complaints Scheme](#), call 1800 550 552
- [Elder Rights Advocacy](#) for older Victorians

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**betterhealth.vic.gov.au**

- **Seniors Information Victoria** for free information for older Victorians, call 1300 13 50 90
- Your local doctor

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