

A New Rights-Based Aged Care Act

The new Aged Care Act will put the rights of older people first. It includes a Statement of Rights for older people accessing aged care services. This fact sheet is a plain language summary of those rights.

About the Statement of Rights

The Australian Government is changing Australia's aged care laws. The Aged Care Act 2024 (the new Act) has a Statement of Rights. This explains what rights older people have when accessing aged care services funded by the Australian Government.

The Statement of Rights will replace the current Charter of Aged Care Rights on 1 November 2025.

What the Statement of Rights means for you

The Statement of Rights will help make sure you are at the centre of your aged care. It gives you the right to:

- Make your own decisions about your own life
- Have your decisions not just accepted, but respected
- Get information and support to help you make decisions
- Communicate your wishes, needs and preferences
- Feel safe and respected
- Have your culture and identity respected
- Stay connected with your community.

Independence, choice and control

You have the right to make your own decisions and have control over:

- What funded aged care services you use
- How you access funded aged care services and who provides them
- Your money and belongings.

You have the right to get support to make these decisions if you need to.

You also have the right to choose how you live, even if there is some personal risk. For example, choices about your social life and close relationships.

Fair access

You have the right to a fair and accurate assessment to find out what funded aged care services you need. This assessment should be done in a way that suits you. It should respect your:

- Culture and background
- Personal experience and any trauma
- Cognitive conditions, such as dementia.

You also have the right to get the kind of care you need when you need it. This includes palliative care and end-of-life care.

Safety and quality

You have the right to safe, quality and fair funded aged care services that treat you with dignity and respect. This includes the right to access funded aged care services that:

- Value and support your identity, culture and background
- Respect your experience, including any trauma
- Are accessible and meet your needs
- Are free from violence, abuse and neglect

You have the right to access funded aged care services from:

- Workers with the right training, skills and experience
- Providers that meet all the conditions under the aged care laws.

If you feel unsafe when accessing aged care, you can get free support from lawyers, social workers and other specialists. Visit the [Attorney-General's website](#) for more information on protection against elder abuse.

Respect for your privacy and information

Your provider must:

- Respect your personal privacy
- Protect your personal information, such as information about your health and finances
- Allow you to choose when your personal information can be given to someone else, such as an advocate or a lawyer.

You have the right to get records and information about your rights and the funded aged care services you use. This includes how much they cost.

Communication that meets your needs

You have the right to:

- Get information in a way you understand
- Give feedback.

You have the right to communicate in the language or method you prefer. This includes using interpreters or communication aids if you need them.

You also have the right to meet with your provider and your supporters in a way that suits you. That might mean meeting at a time of day that works best for you.

Support to raise issues quickly and fairly

When there are issues with your funded aged care services, you have the right to:

- Get support from your provider
- Complain without fear or being punished
- Get a quick and fair response to your complaints.

Support and connection with people and community

You may need support to understand your rights, make decisions or make a complaint. You have the right to get this support from an independent advocate or someone else you choose.

You have the right to communicate with your advocate or support person at any time you like.

Providers should respect the role of the people who are important to you. For example, family, friends and carers.

You have the right to stay connected with:

- The people who are important to you
- Your community, including taking part in leisure or cultural activities
- Your pets.

Aboriginal and Torres Strait Islander peoples have a right to stay connected with their community, Country and Island Home.

How to make sure your rights are upheld

Your provider must understand and follow the Statement of Rights. If they don't, you can make a complaint to the Complaints Commissioner.

You can make a complaint online, by phone or by letter. Visit the [Aged Care Quality and Safety Commission website](#) for more information.

If you need support to make a complaint or find information, call the Older Persons Advocacy Network (OPAN) on 1800 700 600. OPAN has free, independent and confidential advocates to help you.