

## About this article

I watched the replay of the hour-long Webinar on the Stronger Standards – Better Aged Care Program held live on 20 June 2023. This article is a summary of what the program is, key changes, and what you may need to consider in the next 12 months leading up to the new standards taking effect on 1 July 2024.

## Stronger Standards – Better Aged Care Program – what is it all about?

As we know, the new aged care regulatory model is a result of recommendations from the Aged Care Royal Commission. The primary goal is to improve trust and confidence in the aged care sector.

The Department of Health and Aged Care are responsible for the new regulatory model, and they will provide advice to the government which will inform the final version of the strengthened standards.

Providers are directed to the [consultation paper on the new model](#), (consultation has now closed). This is considered the best, current reference point for the changes. I would also look at the [summary paper](#) of the model that provides graphical representation of the key changes and the [slide deck](#) which provides key information in a format that you can adapt for your consumers, teams, advisory bodies and Boards.

### 1. New registration model

A new registration model will be introduced for aged care providers with six different registration categories based on service types. Slide 5 of the slide pack provides more detail. Instead of a one-size-fits-all approach as we have in the current aged care quality standards, the new standards propose to apply and flex to the service type. Slide 6 of the slide deck summarises this change.

### 2. The proposed strengthened standards – aligning requirements and responsibilities.

The Commission has compared the current standards to the proposed new ‘strengthened’ Quality Standards and identified ‘actions’ (replacing the terms ‘requirements’ in the current standards and ‘provider responsibilities’ within the current legislation’. These actions are summarised into four elements:

#### **Actions that:**

1. Align <b><i>directly to the existing requirements</i></b> under the current Quality Standards
2. Align <b><i>directly to the existing legislated provider responsibilities.</i></b>
3. Clarify <b><i>existing requirements</i></b> in the current Quality Standards where they need to be more specific or explicit, or
4. Are <b><i>new or enhanced</i></b> - arising from Royal Commission recommendations where expectations of care have increased.

#### ***Elements One and Two:***

Provider responsibilities are proposed to be wrapped into the new standards and form part of the assessment process. This is specific to Standards One and Two with the following legislated provider obligations integrated into these standards:

- Charter of Aged Care Rights,
- Quality of Care Principles
- User Rights Principles
- Code of Conduct
- the new Aged Care Act
- Accountability Principles and Records Principles

An overview of each new proposed standard is provided in slides 8 to 12 of the presentation.

The Commission notes that they will actively regulate compliance with these legislative obligations (which already existed) via their assessment against the strengthened new standards.

**Element three** addresses where the current standards have not provided sufficient clarity- as identified via provider feedback and (I assume) trends identified via current complaints, incidents, and assessment processes.

**Element four** deals a specific focus on additional requirements in five different areas: diversity, dementia care, clinical care, provider governance and food and nutrition arising from Royal Commission recommendations.

There is also a new document published on the Commission website that unpacks the detail about these actions - the [Strengthened Quality Standards framework analysis](#).

It was noted by both the government and provider panellists that this will depend on the maturity of the provider and that if they have strong corporate and clinical governance systems in place this should not be a significant shift to meet the new Standards. However, if a Provider is still maturing its systems these changes should provide great clarity of what is expected.

### 3. Audit Methodology and Pilot

Emma Jobson from the Commission advised that the goal of the pilot is to test how the draft strengthened standards and the redesigned audit or assessment approach is going to apply in practice. As advised in other material, the audit assessment will change from a binary (met/not met) approach to a graded approach of conformance. The pilot involves a sample of around 40 providers who are representative of the sector, including service type, size, entity type, location, and needs of those receiving services.

The initial pilots occurred in April and focused on Standard five (the clinical standard). This work is informing the approach being undertaken with the remaining audits, which will be against the complete set of standards. They are due to be finished around early September this year. The pilots will be evaluated, and this information provided back to the Department and the sector. The evaluation will inform both the audit methodology and the strengthened standards before they are applied.

The Commission also has a customer experience project underway to help them to understand what it is like for Providers and for older Australians to engage with them across their different regulatory functions, such as making a complaint or going through an audit process and being part of a compliance action. That project will help to identify 'pain points' and opportunities for improvement. This includes talking to Providers and older Australians about preferences for information channels and how education resources and tools can be designed that are easy to use and deliver practical learning outcomes.

The Commission is also developing an evidence framework for assessing performance against the standard and testing this through their pilot program. They are testing the most appropriate source of evidence for each of the identified 152 actions across the new standards. They anticipate that for some actions, there might be multiple evidence types, and differences in the sort of evidence they will expect to see across different service categories. Once this is established, they will develop a tool for the sector that maps the evidence category and the evidence type for each of the actions under the strengthened standards. The goal is to provide Providers with complete transparency around how audit teams should approach the assessment of each action.

What I also noted from Emma Jobson's update is that the Commission has identified potential changes to audit/ assessment processes. This includes the consideration of the way an audit is organised and incorporating information already known about Providers, i.e., what has been reported to the Department as well as the Commission. Auditing of Providers themselves against the standards (rather than just the services) is being considered. This may mean obtaining information once from Providers about the way they govern and manage their services (as per the original accreditation process, which I am old enough to remember).

She also noted that evidence collection may occur in stages, and include off site evidence collection.

The Commission is also looking at a digital audit tool which would provide access as part of evidence collection and decision-making processes so that Providers can access and share this information with consumers and their representatives. The process where providers can review and provide further evidence on preliminary audit findings will be retained.

A variety of resources are being developed and if Providers are interested in participating in the development of these resources, they are encouraged to note their interest by contacting the Commission on the email (provided at the end of this article).

#### 4. Provider Insights

Both Provider panellists provided both useful and diplomatic insights regarding how they will approach getting ready for the new strengthened standards.

Tim Humphries (CEO Homestyle Aged Care Services, a residential aged care provider) noted that the current standards were only implemented in 2019 and discussed how his organisation approached this last time. They ensured that they understood broadly what the changes would be and focused on those items that had been finalised – so their energy and time was focused on the known. They then waited for further details on any items that were still in draft format. Tim also spoke about the importance of both the sector and the Commission focusing on how each of these changes will lead to better care for older people, and if Providers did see changes coming through that may not lead to better care or have unintended consequences, they should be having two-way conversations with the Commission. He also noted that the new proposed standards appeared to be similar to the current standards and whilst the last change required wholesale changes/updates (of processes) he did not think there would be the same level of updating required for the new standards.

Lisa Peterson noted that some things will not be certain until they have the legislation (passed). She noted that the Commission will be providing information to the sector as soon as they can share it.

Tim noted this response and provided observations about the impact of multiple versions of standards as occurred during the introduction of the last standards and the impact that this has on Providers who needed to dedicate resources to revise procedures multiple times to align with the Standards revisions.

Jane Pappin from Pop-up Health (a community based aged care provider) also provided her observations and noted that they are considering strengthening Board education on aged care and how the Board should be questioning them (management), strengthening consumer representation, reviewing incident management processes to align with the new strengthened standards, increasing education for staff working with aged care clients as well as those managing their care and lastly working quite a lot with their Board and clinical governance committee.

Jane suggested to the Commission that the development of relevant and easy to understand tools that can be applied from a Board and leadership team through to care staff and the consumer would be helpful. She stated that she also thinks it is important that staff can access the Commission to ask

a simple question and seek clarification regarding the processes for the strengthened standards. Jane suggested that it would be helpful if there was a specific team at the Commission that was available for staff to ask these questions. Lisa noted that the Governing for Reform program would be an appropriate channel for Boards to be accessing suitable education tools about the new standards, and the Commission will also be ensuring they are available to all stakeholders in the sector.

#### 5. Roadmap to 1 July 2024

The roadmap of progress within the program timelines on slide 13 and it was noted that the milestone of the pilot of the strengthened new standards is underway. The Commission stressed throughout the webinar that the standards are not yet finalised, and they expect further tweaking to occur, particularly following the pilot evaluations, and perhaps past the 1 July 2024 commencement date.

However, it was noted by Josh Maldon from the Department that the strengthened Quality Standards will be coming into effect on 1 July 2024 as part of the implementation of the new Aged Care Act and this will not be delayed.

He noted that the strengthened standards are not expected to significantly change in content, but it is more likely that they will be 'tweaked' as extensive consultation had already occurred with stakeholders of the sector. He noted that the changes incorporate Royal Commission recommendations including alignment with the Disability sector, changing the language so that it resonates with older people and reducing duplication. He encouraged Providers to get online and become familiar with the draft standards. However, he also noted Tim's points and that if the standards are not operating as intended, this will be considered during the change process.

So, my assessment is that the standards will be applied in the format at 1 July 2023 and with the guidance material that is available at that time.

Josh also noted that the Department is working closely with the Aged Care Quality and Safety Commission and the Australian Health and Safety Commission (they are developing the clinical standard). He noted that there will be further communication coming out in August through to October as the roadmap continues through the legislative process. He also noted that the strengthened standards will travel with the Aged Care Act as a subordinate legislation as an exposure draft and the sector will continue to have transparency regarding what the standards look like.

Finally, it was noted that some Providers may be mid-way through an assessment cycle or compliance review process when the new standards are implemented. The Commission notes that Providers will need clarity as to what standards they will be assessed against, and that this guidance will be determined and provided.

It was also noted that depending on size, Providers may not have the resources to assign to readiness for the new Standards against operating demands. This was noted by the Commission but not addressed – I see this as an area of focus and advocacy for scaling of expectations of evidence of alignment and readiness according to size, scope, and complexity of services as occurs in the Disability Quality Standards.

The Commission is also interested in obtaining feedback from the industry on best ways to communicate these changes to older people receiving care and services and their representatives. I see this as an area of opportunity for Provider consumer advisory bodies to gather and provide input to the Commission, as well as consumer advocacy organisations.

If you have questions, do not delay in contacting the Commission via the email provided. Twelve months will be up before we know it.

**Resources**

**About the Stronger Standards, Better Aged Care Program**

<https://www.agedcarequality.gov.au/about-us/stronger-standards-better-aged-care-program>

**Webinar link (approx. 1 hour in length)**

[https://www.youtube.com/watch?v=H\\_XQiilunxU](https://www.youtube.com/watch?v=H_XQiilunxU)

**Webinar slides**

<https://www.agedcarequality.gov.au/media/95691>

**Other information**

[Strengthened Quality Standards Provider Briefing Pack](#)

[Strengthened Quality Standards framework analysis](#)

**Consultation paper**

[A new model for regulating aged care – Consultation paper 2 – Details of the proposed new model](#)

**Have your say – provide feedback/ask questions/clarify expectations.**

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