



Aged Care Code of Conduct

Guide for aged care workers
and responsible persons

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Australian Government

Aged Care Quality and Safety Commission

Choice
Dignity
Respect

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About the Aged Care Code of Conduct

The Aged Care Code of Conduct (Code) supports older people's right to choice, dignity and respect.

The Code aims to improve the safety, health, wellbeing and quality of life of people who receive aged care. It does this by:

- encouraging ethical, honest and respectful behaviour
- describing safe, respectful and professional behaviour
- building trust in aged care services
- protecting older people from harm.

Aged care workers, including volunteers, play an important role in upholding older people's rights and keeping them safe from harm. You spend more time with older people than anyone else in the aged care system. Your everyday work affects people's safety, dignity and quality of life. This includes how you listen, talk to, support and respond to people. The Code explains how you should behave to uphold people's rights.

About this guide

This guide explains the Code and what it means for you in your role, including:

- who the Code applies to
- the 8 requirements of the Code
- behaviour we expect
- behaviour that is unacceptable
- how the Code fits with your broader responsibilities, including upholding the Statement of Rights and the Aged Care Quality Standards (Quality Standards)
- how to speak up if something isn't right
- the role of the Aged Care Quality and Safety Commission (Commission)
- what we can do if we think you're not following the Code.

The guide also provides links to education, support and more information.

This guide can't cover every situation. To provide safe, quality care that respects older people's rights, you need to use good judgement and follow the spirit of the Code.

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Who the Code applies to

If you work in aged care, the Code applies to you. This includes registered providers (providers) and their aged care workers and volunteers and responsible persons.



Aged care workers

An aged care worker (worker) is a person who provides aged care services and is:

- employed, engaged or contracted by a provider (including as a volunteer)
- employed by an associated provider under their arrangements with the provider
- a registered provider themselves, for example a worker who is a sole trader.

Examples of aged care workers include:

- direct care roles, such as nurses, support staff, medical practitioners, personal care workers and allied health practitioners and assistants
- non direct care roles, such as gardeners, cleaners, transport drivers.



Responsible persons

Responsible persons include:

- people responsible for nursing services, who have a nursing qualification (for example, directors of nursing and nurse managers)
- people responsible for the day-to-day operations of a residential care home or service location
- service and residential care home managers
- executive managers
- chief executive officers
- board members.

The 8 Code requirements

The Code has 8 requirements that describe how to behave when you provide aged care.

Table 1 lists the requirements and gives examples. You must follow the Code when you're working in aged care.

Your provider must also follow the Code and support you to meet each requirement.

Table 1: The 8 requirements of the Aged Care Code of Conduct

Requirement	✓ Examples of expected behaviour	✗ Examples of unacceptable behaviour
1  Act with respect for individuals' rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions	• Asking and listening to what older people need and want • Talking to older people in a way that's easy to understand • Helping older people make decisions when they need support • Supporting older people to be independent and make their own choices, even if those choices involve some risk	• Forcing an older person to do something they don't want to do • Not including the older person in decisions about their care and services • Keeping an older person away from people, places or activities they want to see or do
2  Act in a way that treats individuals with dignity and respect and values their diversity	• Respecting an older person's social, cultural, religious, ethnic and health background • Working in a way that helps older people feel comfortable and safe • Encouraging older people to speak up about their likes and dislikes	• Making fun of an older person's social, cultural, religious, ethnic or health background • Talking down to an older person or treating them in a disrespectful way • Telling an older person their beliefs are wrong or silly
3  Act with respect for the privacy of individuals	• Keeping older people's personal information confidential, in line with provider policies • Knowing older people's personal privacy needs and preferences • If you need to take a photo for care reasons, getting an older person's permission first	• Not asking older people for permission when you provide personal care • Providing intimate personal care to an older person in a place that isn't private • Sharing images or videos of an older person without getting their permission

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Requirement	✓ Examples of expected behaviour	✗ Examples of unacceptable behaviour
4  Deliver funded aged care services in a safe and competent manner, with care and skill	• Using equipment safely and in a way that it's meant to be used • Having the right skills, experience and qualifications for the job • Following provider policies and procedures about safe and up-to-date work practices • Deliver care that is in line with the older person's care and services plan	• Delivering services you don't have the required skills or qualifications for • Not reporting unsafe equipment, unsafe practices or near misses to your provider
5  Act with integrity, honesty and transparency	• Treating older people fairly and not taking advantage of them • Being honest about your experience and training • Helping older people understand the care and services you provide them	• Lying about what you know, hear or see. For example, giving false information: – in a document – to protect a colleague • Not telling your provider about a conflict of interest • Sharing information about yourself to encourage an older person to give you money or a gift • Accepting money or gifts from an older person • Taking an older person's medicines to use or sell
6  Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of funded aged care services	• Knowing how and what to do if something that concerns you happens • Speaking up and reporting concerns to your provider to reduce the risk of harm • Making sure older people feel safe to speak up about their concerns or make a complaint	• Doing nothing about a safety or quality concern • Not being open and honest about a safety or quality concern • Threatening or telling an older person not to complain or raise their concerns

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Requirement	✓ Examples of expected behaviour	✗ Examples of unacceptable behaviour
7  Deliver funded aged care services free from all forms of violence, discrimination, exploitation, neglect and abuse, and sexual misconduct	• Understanding situations that may hurt, upset or take advantage of an older person • Knowing how to identify violent, abusive or neglectful practices • Not taking part in any form of violence, discrimination, exploitation, neglect and abuse, or sexual misconduct	• Physically forcing or threatening an older person to do something they don't want to do • Neglecting, taking advantage of or abusing an older person • Acting in a sexual way with an older person
8  Take all reasonable steps to prevent and respond to all forms of violence, discrimination, exploitation, neglect and abuse, and sexual misconduct	• Following processes to help prevent harm to older people • Raising safety risks or concerns, in line with your provider's systems and processes • Cooperating with your provider and with any investigation or inquiry	• Not raising a suspicion or concern about violence toward, or abuse or neglect of, an older person • Not reporting a serious or reportable incident to your provider • Not supporting an older person to speak up about concerns of misconduct



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What you need to know about the Code

Aged care workers need to:

- understand what good behaviour is
- understand behaviour that's not acceptable and doesn't follow the Code
- speak up when they see unacceptable behaviour.

The Code guides the way you behave so older people receive quality, respectful and safe care. Talk with your provider if you're not sure about what behaviours are acceptable.

Responsible persons need to:

- know if they and their provider are complying with the Code
- make sure workers understand and get training on the Code
- take reasonable steps to make sure workers comply with the Code
- know when and how to raise concerns about behaviour that doesn't follow the Code.

Volunteers need to:

- always behave in a kind, respectful way that follows the Code
- understand and follow the Code
- speak up when they see behaviour that doesn't follow the Code.

Always remember:

- Older people have the right to safe, quality care and services.
- It's always okay to speak up.
- If you see or hear something that concerns you, tell your manager, your provider or us.



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What providers need to do

Providers have obligations under the *Aged Care Act 2024* that overlap with the Code requirements. These include supporting their workers to:

- respect older people's rights in the Statement of Rights
- provide care that meets the Quality Standards
- speak up if they see behaviour that doesn't follow the Code or puts an older person at risk.

Statement of Rights

The [Statement of Rights](#) explains the rights older people have when they use aged care.

It puts older people at the centre of aged care and makes sure the care they receive:

- upholds their rights
- respects who they are as individuals
- empowers them to make their own choices.

The Code follows the same principles.

Quality Standards

The [Quality Standards](#) are a set of requirements that describe safe and quality care.

They make sure that older people receive quality care that:

- is safe
- meets their needs and preferences
- upholds their rights.

The Quality Standards describe what older people can expect from their provider.

We assess providers to make sure they meet each Quality Standard.

You have an important role in applying the Quality Standards every day in the way you:

- provide care
- communicate with older people
- work with your co-workers and provider.

Speaking up and raising concerns

Speaking up, and knowing it is safe to speak up, is an important part of keeping older people safe and providing quality care.

Providers must have processes and practices to support and encourage workers to speak up and suggest ways to improve care.

You should raise a concern if you see or experience behaviour that:

- may harm an older person
- doesn't meet the requirements in the Code
- puts a person's dignity, rights or safety at risk.

You can raise concerns about:

- a worker's or responsible person's behaviour
- unsafe practices
- neglect, poor care or anything that puts an older person at risk
- behaviour that you think may not follow the Code.

To raise a concern, start by following your workplace processes. For example:

- talk to your manager or supervisor
- report your concern through your workplace complaints or feedback or incident process.

If you're not comfortable raising a concern with someone in your service or organisation, or you don't think they're doing something about a concern you've raised, you can raise it with the Commission.

The role of the Commission

We are the national regulator for aged care. Our role is to help make sure older people receive safe, quality care.

We make sure providers, workers and responsible persons follow the Code. We do this by:

- supporting and educating them
- monitoring if they're complying with the Code, including checking that providers are making sure their workers understand and follow the Code
- receiving and responding to complaints and feedback about behaviour that doesn't follow the Code
- collecting and checking information to identify patterns of behaviour or risks
- investigating behaviour that doesn't follow the Code
- taking compliance or enforcement actions when we need to protect older people.

What happens if you don't follow the Code

If we get information that raises concerns about your behaviour under the Code, we can:

- contact your provider to understand the concern and who's involved
- assess the information to understand what you and the provider have done or not done
- contact you to let you know that we have a concern about you. Sometimes we may not contact you, for example, if there is severe or immediate risk of harm to an older person.

If we contact you to talk about our concerns, you don't have to speak to us alone.

You can bring a supporter, union representative, legal representative or an interpreter with you to a meeting or discussion.

When we meet, we may:

- record the concerns and take no further immediate action
- ask for information or documents about the concern
- let you ask questions or respond to the concern.

If we find that you haven't been complying with the Code, we can take compliance or enforcement action. The actions we take depend on:

- the risks to older people receiving care
- how willing you are to address the concerns and fix the problem.

For example, we can:

- work with you or your provider to address our concerns
- send you a caution letter stating our concerns and what you need to do to address them
- send you a reminder letter with information and guidance to help you understand and meet your obligations under the Code
- ask the provider to support you by providing extra training or supervision.

In serious cases, we can:

- issue a banning order preventing you from being involved in providing aged care
- ask the courts to give you a civil penalty (fine).



More information

You can find more information and resources about the Code on our [Aged Care Code of Conduct](#) webpage.

If you are concerned that another worker, responsible person or your provider is not meeting their obligations under the Code:

- talk to your supervisor or manager
- get independent legal advice
- contact the Commission by:
 - calling **1800 951 822**
 - sending an email to info@agedcarequality.gov.au
 - using our [online complaint form](#).

The Aged Care Quality and Safety Commission acknowledges the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to Elders both past and present.

-  1800 951 822
-  agedcarequality.gov.au
-  Aged Care Quality and Safety Commission
GPO Box 9819, in your capital city

Find this resource online

agedcarequality.gov.au/resource-library/aged-care-code-conduct-guide-aged-care-workers-and-responsible-persons

