



Governing body

Effective governance and leadership are vital to ensure the safety and quality of aged care and positive experiences for older people.



These responsibilities align to the requirements in Standard 8; organisational governance as well as elements of Standards 6 and 7 of the Quality Standards.



They apply to approved providers of residential, home and flexible care, including short-term restorative care.



If you operate under a grant agreement, such as the Commonwealth Home Support Programme or National Aboriginal or Torres Strait Islander Flexible Aged Care Program, these responsibilities do not apply to your service.

Your governing body has the ultimate responsibility and influence over the care and services provided to older people. It must have a mix of members with diverse skills, experience and expertise.

Your governing body needs to:

✓	meet new membership requirements
✓	establish and maintain a quality care advisory body
✓	offer to establish a consumer advisory body at least once every 12 months
✓	use feedback from advisory bodies in decision-making and continuous improvement strategies
✓	respond to advisory bodies in writing regarding their feedback and its use within the service
✓	ensure you have appropriately skilled and qualified staff and provide opportunities for development.

Who

Your governing body must have a majority of independent non-executive members and at least one member with experience in providing clinical care.

An independent non-executive member is someone who:

✓	does not hold a position in your service
✓	cannot be influenced by your organisation
✓	does not have preferential relationships within the service (e.g. family receiving care or company shares)
✓	can act objectively and in the best interests of older people.

A member with experience in providing clinical care is someone who:

✓	has clinical experience and qualifications that can support decision-making in your organisation
✓	is currently practicing or delivering clinical care or has relevant and current experience.

You are not required to meet these governing responsibilities if your organisation:

- is a state and territory or a state, territory or local government authority
- has fewer than 5 board members, and provides care to fewer than 40 older people
- is an Aboriginal Community Controlled Organisation.

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Determinations

If you cannot meet the membership requirements (and are not automatically exempt), you can apply to the Commission for a determination that one or both requirements should not apply for a period of time determined by the Commission.

You can apply for a determination by completing a *'Request for a determination that certain governing body responsibilities do not apply'* form located on the Commission's website www.agedcarequality.gov.au. You need evidence to support your application. Please read the guidance material for more detailed information.

Record keeping

You need to record the names of all governing body members. For members who have experience in clinical care, you must also keep details of their clinical care background and experience.

If you have fewer than 5 board members and give care to fewer than 40 older people, you are not required to meet one or both governing body membership requirements. However, you still need to keep evidence of this to show if your organisation is audited.

Key information

- [Governing for Reform in Aged Care Program](#)
- [Provider responsibilities relating to governance: Guidance for approved providers](#)



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