

# THE ADVOCATE

Your aged care and disability advocacy news, 3 November 2025

Contact us: 1800 700 600

## Advocacy and the new Aged Care Act

The long-awaited new Aged Care Act has commenced, which means older peoples' rights in aged care are now front and centre, with the Statement of Rights in effect.

We know that most providers have always considered the rights of older people in providing care, but it is now a legislative requirement to understand and deliver services in line with the **Statement of Rights**.

Our advocates are here to help older people and providers to understand the Statement of Rights and how they apply.

The [Older Persons Advocacy Network \(OPAN\)](#) have produced a [useful poster](#) that outlines and explains the Statement of Rights that we encourage you to make use of in your residential aged care home, or with clients, or at home.

We are also available to provide advocacy information sessions to your clients and staff. To book an education session email [education@adaaustralia.com.au](mailto:education@adaaustralia.com.au)

### The Statement of Rights

The Statement of Rights clearly identifies your rights when seeking or receiving aged care services. Under the Aged Care Act 2024, your provider and aged care workers are legally obliged to deliver services in line with these rights.

- Autonomy and freedom of choice**  
I have the right to make my own choices – about my care, relationships, lifestyle and taking risks – with support if I want it.
- Equitable access**  
I have the right to have my needs assessed in a way that works for me including having my cultural background, past trauma or cognitive conditions, such as dementia, respected.
- Safe, quality care**  
I have the right to be treated with dignity and respect by experienced aged care workers who value my identity, culture, spirituality and diversity.
- Privacy and confidentiality**  
I must have my privacy respected and my personal information kept confidential, and be in control of who this information is shared with.
- Communication and complaints**  
I have the right to be informed in a way I understand and to raise concerns without fear of reprisal. My feedback must be dealt with fairly and promptly.
- Support and social connections**  
I can stay connected to important people, pets and culture including independent advocates. As an Aboriginal or Torres Strait Islander I can stay connected to Country and Island Home.

For free, confidential and independent support call the Aged Care Advocacy Line **1800 700 600**

**OPAN** Older Persons Advocacy Network

## Aged care Advocacy education

Statement of Rights  
About advocacy  
Independent  
Decision making

**ADA Australia**  
Your Aged and Disability Advocates

## Key changes which strengthen the rights of older people

**1. The Statement of Rights.** It includes rights like independence and autonomy, respect for privacy, safe and quality care, and the right to raise issues without fear of reprisal. Enhanced quality standards. The strengthened standards will make it clear what older people can expect from aged care service providers and workers. Under the strengthened standards, providers must actively include older people in the planning and management of their care to ensure care is safe, high quality and tailored to the needs of the older person. Care must be delivered in line with the Statement of Rights.

**2. Greater protections when you speak up.** The new Act increases protections for whistleblowers – people who call out issues. Older people, families, representatives, and aged care workers can report a person or organisation who has not followed aged care law without fear that they will be punished or treated unfairly.

**3. Right to make decisions.** Under the new Act, older people's right to make decisions about the care they receive and the risks they are willing to take is enshrined in legislation. The Act acknowledges that some older people may want support in making certain types of decisions, and since coming into effect, older people can register one or more people to assist them. These people are referred to as their registered supporters who have a role in upholding the older person's wishes and preferences.

**4. An independent complaints process.** An independent Complaints Commissioner, appointed by the Minister for Aged Care, promotes the independence, transparency, and accountability of complaints handling by the Aged Care Quality and Safety Commission. An independent complaints process helps to improve the operation of aged care complaints and rebuild the trust of older people that their complaints will be taken seriously and will be resolved in a timely manner.

For more information about key changes for older people visit the OPAN website -

<https://opan.org.au/new-aged-care-act/>

## Support at Home Transition

By now providers and people currently receiving care at home under Home Care Packages or Short-Term Restorative Care (STRC) will have commenced talking about the transition to the new Support at Home program and current recipients should have received letters from the Department of Health, Disability and Ageing to prepare for transition.

For older people transitioning to Support at Home, it is important to note that there is time to sign your service agreement with your provider if not already done.

- You'll receive a letter from Services Australia with your individual contribution rate in the coming weeks.
- Once you have received your letter, you have up to a **maximum of 90 days** to sign your agreement, so you have time to consider your individual circumstances.
- You can continue receiving services after 1 November without signing your new agreement.
- Accepting services after 1 November does not mean you have accepted your new agreement.

- During the transition period, your provider cannot end your services because you have not signed your service agreement.

For more information about service agreements and the transition to Support at Home, visit the <https://www.health.gov.au/resources/publications/support-at-home-key-messaging-for-older-people-on-service-agreements>

## Support at Home New

For those who applied for aged care support at home after the cut-off for transition from the old system, or people who are looking to apply, we have developed a summarised information sheet for older people about **Support at Home Fee Contributions**.

It provides a simple guide to how support at home fee contributions will be determined, and the percentage contribution rates by service category. See summary attached.

Most importantly it has information about **financial hardship assistance** for those who can not afford their contributions, including eligibility and the application process. We know many older people are unaware of this option or don't know how to go about applying.


**ADA Australia**  
Your Aged and Disability Advocates

Aged Care Advocacy Line  
**1800 700 600**

Your aged care support service

AGED CARE ACT INFORMATION  
**Support at Home Fee Contributions**

From 1 November 2025, the way in-home aged care is delivered across Australia will change. The Support at Home program will replace both the Home Care Packages and the Short-Term Restorative Care program.

**Support at Home Fee Contributions**

These are what you pay out of pocket for your home care support services and is based on an assessment by Services Australia of your income and assets. For veterans, the income and asset assessment is completed by the Department of Veterans' Affairs, however, you will still apply through and be notified of your outcome by Services Australia. Your contributions will be based on:

- The type of services you receive:**
  - Clinical supports** - no contribution for services. Clinical care is fully funded by the government for all participants.
  - Independence** - services such as personal care will attract moderate contributions.
  - Everyday living** - services such as cleaning and gardening will attract the highest contributions.

| Clinical Supports                                                                                                                                         | Independence                                                                                                                                                                                  | Everyday Living                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Nursing Support</li> <li>Allied Health</li> <li>Nutrition</li> <li>Physio</li> <li>Occupational Therapy</li> </ul> | <ul style="list-style-type: none"> <li>Personal Care (showing)</li> <li>Social Support</li> <li>Shopping Support</li> <li>Transport</li> <li>Home Modifications</li> <li>Equipment</li> </ul> | <ul style="list-style-type: none"> <li>Gardening</li> <li>Cleaning</li> <li>Meal Preparation</li> <li>Meal Delivery (like n Eazy/ Meals on wheels)</li> <li>Home Maintenance</li> </ul> |

- The outcome of your income and assets assessment, which is based on your pension status:**
  - Full pensioner
  - Part pensioner
  - Self-funded retiree and Commonwealth Seniors Health Card (CSHC) holder
  - Self-funded retiree and non-CSHC holder

| Income and assets assessment outcome                             | Service category - clinical supports | Service category - independence | Service category - everyday living |
|------------------------------------------------------------------|--------------------------------------|---------------------------------|------------------------------------|
| Full pensioner                                                   | 0%                                   | 5%                              | 17.5%                              |
| Part pensioner and self-funded CSHC holder                       | 0%                                   | Between 5% and 50%              | Between 17.5% and 80%*             |
| Self-funded non-CSHC holder and means not disclosed <sup>†</sup> | 0%                                   | 50%                             | 80%                                |

\*Contributions will be applied on a tapered rate based on the participant's income and assets assessment.

<sup>†</sup>A self-funded non-CSHC holder is an individual who is ineligible for the pension and the CSHC. A means not disclosed status refers to an individual who has not disclosed their assets and income.

Note:

- Care management will have a clinical supports contribution rate of 0%.
- Contributions for Assistive Technology - Home Modifications (set-up) items will be treated as equivalent to the independence category. However, services like assessment, delivery, training, set-up, repairs and maintenance for AT-IM items (where required) will have a clinical supports contribution rate of 0%.

## Pricing concerns

Naturally, we all want to see that older people are getting the same level of services that they had been receiving or that they are able to access the services they need.

Some older people have raised concerns with us that price increases are impacting the level of support they can purchase. There are also concerns about the time frames for hardship applications. Advocacy organisations across the OPAN network will be monitoring feedback from older people about cost issues to feed back to government.

If you would like a printable copy, please visit [www.adaaustralia.com.au](http://www.adaaustralia.com.au) or email [info@adaaustralia.com.au](mailto:info@adaaustralia.com.au)

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