

Ombudsman Communique

Roundtable with Aged Care Peak Bodies on 27 November 2024

The Commonwealth Ombudsman hosted a roundtable with aged care peak bodies on 27 November 2024. The roundtable provided an opportunity to share knowledge, perspectives, and insights into emerging issues in the aged care sector.

The meeting was attended by five national organisations, representing both older people and the age care sector. The attendees were the Council of the Ageing (COTA), the Older Persons Advocacy Network (OPAN), the Aged and Community Care Providers Association (ACCPA), the National Aboriginal and Torres Strait Islander Ageing and Aged Care Council (NATSIAAC) and National Seniors Australia.

The Ombudsman welcomed attendees, saying he was keen to begin a conversation and hear directly from sector advocates about the issues faced by Australians in aged care service delivery.

Discussion covered a range of topics, including the introduction of the new *Aged Care Bill 2024*, which comes into effect on 1 July 2025, Star Ratings for residential aged care, and issues around the restriction of movement in aged care facilities.

Facilities faced difficulties with the complexities involved in balancing residents' rights to freedom of movement with the need to ensure their safety, and the wishes of residents' family members.

The Ombudsman highlighted that his role as the National Preventive Mechanism (NPM) under the Optional Protocol to the Convention Against Torture was not restricted in use to places of incarceration but to any setting where an individual might experience ill-treatment while being deprived of or restricted in the exercise of their liberty.

The Commonwealth NPM function focuses on systemic issues to reduce the risk of ill-treatment in detention.

Concerns were raised about the Star Ratings for residential aged care, which were introduced by the Commonwealth Department of Health and Aged Care in December 2022. Concern was expressed that the star ratings were not necessarily indicative of the standard of care in a residential facility. There was broad agreement that a holistic, best practice approach was needed in the sector.

Participants acknowledged the Ombudsman's recent statement, *Aged Care Star Ratings*, which highlighted perceived limitations of the ratings and concerns that they may not provide meaningful information about quality of care.

The Ombudsman noted his intention to visit a residential aged care facility in his NPM capacity within the next twelve months and to publish a report following the visit.

The Ombudsman and participants also discussed other matters of concern to older people, including recent developments in the private health insurance industry, where some private hospitals had indicated that they would not provide services to certain health insurers. In matters like these, the Ombudsman said he could suggest a mediation between parties, which has been effective in the past.

In keeping with the previous two roundtables, participants felt that the Ombudsman's role and services needed to be more widely known, particularly to people in rural and remote areas. The Ombudsman acknowledged the challenges involved in raising awareness and assured that his Office would continue to reach out to communities.

The roundtable concluded with participants saying they were keen to meet again with the Ombudsman in 2025. The Ombudsman agreed, thanking them for the roundtable discussion and encouraging them to reach out to him with any issues in the meantime.