



VICTORIAN ABORIGINAL HEALTH SERVICE CO-OPERATIVE LTD.

7 March 2024

Department of Health and Aged Care - New Aged Care Act Consultation
GPO Box 9848
Canberra ACT 2601

(sent via email: AgedCareLegislativeReform@health.gov.au)

To whom it may concern,

Re: Consultation on the new Aged Care Act

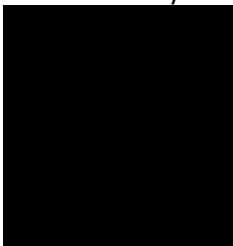
The Victorian Aboriginal Health Service (VAHS) welcomes the opportunity to provide feedback through the consultation on the new Aged Care Act. We completed the online survey and overall believe that the new legislation will strengthen the Aged Care sector and support an environment aimed at the delivery of high quality and safe care.

We note that there was no opportunity to add narrative comments in the survey responses and therefore wanted to provide the below points for consideration within the consultation process.

We would welcome discussion with interested parties if there are domains you would like to explore further.

Please do not hesitate to contact Brad Pearce at [REDACTED] should you require further information.

Yours sincerely



Michael Graham
Chief Executive Officer

Chapter 1 - Introduction:

- The rights based approach is critical and this is supported through clear principles to underpin operations. However, the Principles could be strengthened in relation to the delivery of Aged Care services for Aboriginal and Torres Strait Islander people by including clear statements related to the National Agreement on Closing the Gap. Points on self-determination, shared decision making, partnerships, role of community controlled organisations and data ownership are important domains that would signal commitments and intent of the Commonwealth Government and all Departments.
- Cultural safety for Aboriginal and Torres Strait Islander people and families is referenced and this could be strengthened with indications of how this would be defined. Examples may include how providers demonstrate culturally safe practices, what expectations there are for the workforce and how these will be measured. Service providers delivering services to Aboriginal people need to be linked to Aboriginal Community Controlled Organisations (ACCOs), with partnerships developed to ensure that they embed pathways for cultural mentoring and support.
- The Supporters and Representatives section should take into account how Aboriginal and Torres Strait Islander families and communities are structured. It is essential to include how decisions are made in community and across extended family networks.

Chapter 2 – Entry to the aged care system:

- Assessment processes need to be appropriate for Aboriginal and Torres Strait Islander peoples. Tools and the workforce delivering the service need to be culturally safe. Further considerations include:
 - The process takes longer and needs to be delivered in stages, as building trust first is essential.
 - The process needs to be timely and delivered when the person needs it and is ready to receive it.
 - ACCOs are best placed to undertake assessments with Aboriginal and Torres Strait Islander people as organisations such as VAHS are important health and wellbeing information hubs, where wrap around services are provided when the client and their extended families need them.

Chapter 3 – Registered providers, aged care workers and digital platforms:

- ACCOs will be critical providers under the new Aged Care Act and will benefit with resourcing for capacity building to support extensive governance required to deliver safe and effective services.
- A culturally safe Aged Care workforce is critical to the success of the evolving system. There are opportunities to increase the Aboriginal workforce both in mainstream and community controlled services and this would be enhanced through development of an Aboriginal Aged Care Workforce Strategy that is designed by Aboriginal and Torres Strait Islander stakeholders.

Chapter 4 – Fees, payments and subsidies:

- Fees and Pricing are required to take the needs of Aboriginal and Torres Strait Islander people and communities into account.
 - Assessments and delivery of care with Aboriginal and Torres Strait Islander people must respond to their complex presentations associated with trauma and history of colonization. Service must be credible and take longer to ensure cultural safe practices.
 - Services must be delivered in locations where people feel safe, therefore cost structures must allow for services to be delivered across local regions and not only office based.

Chapter 5 – Managing the aged care system (governance):

- Important references to the Secretary for the Department of Health and Aged Care and the Aged Care Quality and Safety Commissioner are included, however the governance section can be strengthened by including important role that could be played by the First Nations Aged Care Commissioner. Examples of where this newly created function would add value include:
 - Responsibility for overseeing cultural safety audits of mainstream service providers.
 - Establishment of an advisory function with representation from ACCOs, consumers, DoHAC, PHNs to support evidenced based development of strategies, policies and procedures.

Chapter 7 – Managing information:

- Indigenous Data Governance and Indigenous Data Sovereignty must be explicitly referenced in relation to how data on Aboriginal and Torres Strait Islander people is collected, stored, analysed and shared. The recent Productivity Commission review of the National Agreement on Closing the Gap was highly critical of current structures for data management and there is an opportunity within this new legislation to ensure that IDS principles are highlighted and strongly held.