



**THE CO-OPERATIVE LIFE**  
getting you back into life

Department of Health and Aged Care

Via: [AgedCareLegislativeReform@health.gov.au](mailto:AgedCareLegislativeReform@health.gov.au)

8 March 2024

To the Department of Health and Aged Care,

Thank you for the opportunity to make a submission in response to the Aged Care Bill 2023 Exposure Draft.

The Co-operative Life is a registered co-operative and registered charity that operates in aged care and the NDIS. We are the first worker-owned co-op aged care provider in Australia. The vision of the two co-founders is to create a safe and person-centred workplace where employees are well paid and supported and service users are well looked after.

Our co-operative started in 2013 as the Australian Independent Living Enterprise Co-op Limited. It traded under the name of Cooperative Home Care until December 2016 and in January 2017 changed its name to The Co-operative Life to reflect an expanded range of services including NDIS core support (personal care, social support, domestic assistance, assistance with medication and community access), SIL accommodation and aged care services. We currently operate in Sydney and the New England region.

We want to share our experience of navigating the recent changes to aged care legislation as Australia's first worker co-operative aged care provider.

Under changes to aged care legislation that were implemented recently and are proposed to be continued in the Aged Care Bill 2023, governance requirements were introduced such that most providers need to have majority independent non-executive directors on their board.

As a worker-owned co-operative, we have a board with a majority of worker-members, in accordance with Co-operatives National Law and co-operative principles. Our member-directors are supported by a minority of independent directors who bring additional skills and expertise to our board.



**THE CO-OPERATIVE LIFE**  
getting you back into life

When the new governance requirements were introduced, we considered exiting the aged care sector and focusing on the NDIS. Aged care is currently a relatively small part of our operations and therefore the additional effort of seeking determinations (with no guarantee of what the decision will be) seemed too much. We probably would have done so without the support and encouragement of the Business Council of Co-operatives and Mutuals to seek a determination.

We also know there is strong potential for growth in aged care for our organisation, particularly in regional communities where we operate. Being ready to step in for these communities (as we did when we entered New England originally) is an additional motivator to maintain our aged service provision despite the additional stress, time and cost involved in doing so under the current regulations.

We applied for a determination from the Aged Care Commission in early December 2023 to seek exemption from the requirement to have a majority independent non-executive directors on our board.

The process is still ongoing at the time of this submission and to date we estimate that the co-operative has spent approximately 20 hours on this matter in preparation and subsequent communications with the Commission.

The process has added an additional stress, time and cost for us that other providers don't have to deal with. If the same requirements continue under the new legislation, there will be ongoing uncertainty for us as we will always need to prove and re-prove our governance model is legitimate in order to provide aged care services. It will be hard for us to continue in aged care if this remains the only way for worker co-ops to be able to be registered providers.

The Co-operative Life supports the submission to this consultation made by the Business Council of Co-operatives and Mutuals. It includes recommendations that would address the challenges we face under the current and proposed aged care legislation.

We would be pleased to provide information to the Department as needed.

Yours sincerely,

Margaret Ciarka  
Chair  
The Co-operative Life Limited

