Carers Tasmania's Response to the Aged Care Rules Consultation: Stage 2a - Support at Home Funding

December 2024

About Carers Tasmania

Carers Tasmania is the Peak Body representing the more than 87,000 informal carers (hereafter carers) in the state.

Carers Tasmania's vision is for an Australia that values and supports carers.

Our mission is to work to improve the health, wellbeing, resilience and financial security of carers and to ensure that caring is a shared responsibility of family, community, and government.

Our values drive everything we think, say, and do.

- **Carers first** – we listen to what carers need, commit to their desired action plan, and deliver results that matter most to carers
- **Care in all we do** – we care for our work, about each other, about Tasmania's family and friend carers, and the bigger world we all share
- **Integrity always** – we are transparent, act ethically, own when things don't go to plan and do what we say we will
- **Quality every time** – we don't accept 'good enough' because carers deserve our very best every time
- **Speed that matters** – we are agile and don't put off what can be done today.

These values represent how we engage with and serve carers, how we work with each other, and our commitment to the broader community. Carers Tasmania encourages partnership with governments and health and community sectors to enhance service provision and improve conditions for family or friend carers through policy development, research and advocacy.

We acknowledge and support people of all genders, sexualities, cultural beliefs, and abilities and understand that carers in Tasmania, whilst sharing the common theme of caring for a family member or friend, are diverse individuals with varying beliefs, experiences, and identities. We value and respect the diversity of carers, their lived and living experiences, and recognise that carers are the experts in their own lives.

Carers Tasmania has offices in Moonah, Launceston and Burnie.

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1. Background

Carers Tasmania is the Peak Body representing the more than 87,000 informal carers within the state.

A carer is a person who provides unpaid care and support to a family member, or friend, with disability, mental ill health, a chronic or life-limiting condition, alcohol or other drug dependence, or who is frail or aged. Informal kinship carers who care for a child under the age of 18, because the parent is unable to, are also recognised as carers. Carers are predominantly family members, but may also be friends, neighbours, or colleagues. Informal carers are not to be confused with paid support workers who are often called 'carers', with the difference being that support workers are fully employed and remunerated with all the benefits of employment. On the contrary, informal carers perform their caring duties without remuneration, other than minimal carer payments and allowances from the Australian Government.

In addition to representing carers through the Peak Body activities, Carers Tasmania provides support to carers living in Tasmania through its service delivery arm, Care2Serve. The Australian Government Carer Gateway program is delivered through Care2Serve in Tasmania, as are other supports and services, such as the Tasmanian Government's Home and Community Care program.

The Carer Gateway program provides a range of services and supports for carers which are designed to build resilience, increase wellbeing, improve quality of life, and sustain carers to effectively continue their caring roles. The available supports include the provision of information, advice and referrals, holistic identification of carer strengths and needs through a carer support planning process, professional counselling, peer support, and coaching which aims to support carers in achieving specific goals.

Care2Serve, through the Carer Gateway, has capacity to fund certain instances of planned, practical support services such as in-home respite, personal care, domestic assistance, and meal preparation. Care2Serve may also fund items such as laptops to assist carers who are studying or trying to enter the workforce. Care2Serve also coordinates the provision of emergency support during instances where a carer may be unable to provide the care that they usually do, resulting from unexpected illness or injury of the carer.

2. Introduction

Carers Tasmania welcomes opportunities to provide feedback towards the Aged Care reforms, in particular, the new *Aged Care Act*[1] and rules. Once fully operational, the new *Aged Care Act* will play a significant role in ensuring that older Australians and their carers have safer and more equitable access to the supports they need. This response focuses on the Aged Care Rules Consultation, Stage 2a, including the rules about Support at Home Funding and chapter Seven of the Aged Care Rules 2024 Consultation Draft.[2]

In previous submissions about the Aged Care Act, [3, 4] Carers Tasmania has consistently advocated for the definition of a carer within the new Aged Care Act to be updated so that it aligns with the carer definition within the *Commonwealth Carer Recognition Act 2010,*[5] and that it explicitly refers to the *Carer Recognition Act* (Cth). This will ensure clarity and enable more older Australians and their carers to access support. We suggest that within the definition section of the legislation, that 'carer' be defined in alignment with the *Commonwealth Carer Recognition Act 2010* as follows:

> *"A carer is an individual who provides personal care, support and assistance to another individual who needs it because that other individual:*
>
> *(a) has a disability; or*
>
> *(b) has a medical condition (including a terminal or chronic illness); or*
>
> *(c) has a mental illness; or*
>
> *(d) is frail and aged."* [6]

3. Feedback on the Support at Home Funding Rules

Care management supplement

The proposed rules outline categories of older Australians who will be eligible for an additional amount of care management funding, which is called the 'care management supplement'. This will be provided in addition to the standard proposed plan percentage allocated to care management for each person. The Consultation Draft states the following:

> *"For the purposes of paragraph 205(2)(a) of the Act, the circumstances in which care management supplement will apply to a service delivery branch of a registered provider in relation to an individual on a day are that:*
>
> *(a) the individual is an Aboriginal or Torres Strait Islander person; or*
>
> *(b) the individual is homeless or at risk of homelessness; or*
>
> *(c) the individual is a care leaver, that is, an individual who has spent time in institutional care or out of home care (such as orphanages and foster care), and*

[1] Australian Government. (2024). Aged Care Act. Federal Register of Legislation - Aged Care Act 2024
[2] Australian Government Department of Health and Aged Care. (2024). new-aged-care-act-rules-consultation-release-2a-funding-for-support-at-home-program.pdf
[3] Carers Tasmania. (2024). Response to the Aged Care Bill Exposure Draft. https://carerstas.org/wp-content/uploads/2024/06/Carers-Tasmania-Submission-on-the-Aged-Care-Bill-Exposure-Draft-1.pdf
[4] Carers Tasmania. (2024). Submission on the Aged Care Bill 2024 – Provisions. https://carerstas.org/wp-content/uploads/2024/10/Carers-Tasmania-Submission-on-the-Aged-Care-Bill-2024-Provisions.pdf
[5] Commonwealth of Australia. (2010) Commonwealth Carer Recognition Act 2010. Federal Register of Legislation - Carer Recognition Act 2010
[6] Ibid.

includes an individual who is a Forgotten Australian, a former child migrant or a member of the Stolen Generations; or

(d) the individual is referred to the provider by the care finder program funded by the Department; or

(e) veterans' supplement applies to the individual under section 196D of this instrument." [7]

Whilst it is positive that this list has recently been expanded to include older Australians referred by the Care Finder Program, Carers Tasmania suggests that an additional clause be added to support older Australians and their carers experiencing any other significant difficulty. This could include those with disability, literacy challenges, those who are isolated, or those with a carer but not eligible for the Care Finder Program, or who have not been referred via the Care Finder Program.

The introduction of the Care Finder program partly supports recommendation 29 of the Aged Care Royal Commission (the Royal Commission)[8] which refers to ensuring appropriate care finders are available to assist older people and their carers to navigate the aged care system and access sufficient support. Eligibility to access the Care Finder Program defines an eligible person as being alone or not having a support person.[9]

Carers Tasmania highlights that although an older person may have a carer, that carer may not always have the capacity to help support the navigation and organisation of aged care supports. The carer may be ageing, have health concerns or disability themselves, multiple caring roles, or the person being supported may have complex and significant care needs, which may affect their capacity to provide the often-in-depth navigation and organisation support involved with accessing aged care services in addition to the day-to-day support they provide.

Results from the 2022 National Carer Survey found that 61% of Tasmanian carer respondents were caring for a person aged over 65, and the average age of the Tasmanian carer respondents was 65.5 years. The average weekly hours of care provided by Tasmanian respondents was 108 hours, and 59% were providing 24/7 care.[10] Recent national statistics from the 2022 Survey of Disability, Ageing and Carers indicates that

"Of the three million carers in Australia:

- *almost two in five (38.6%) have disability, an increase from 2018 (32.1%), and*
- *more carers aged 65 years and over had disability (59.6%), compared with 31.5% of carers aged 15-64 years."* [11]

These findings support the need for individual circumstances to be considered and highlight that even if an older person has a carer, they may still require additional support with care management.

[7] Australian Government Department of Health and Aged Care. (2024). new-aged-care-act-rules-consultation-release-2a-funding-for-support-at-home-program.pdf
[8] Commonwealth of Australia. (2021). Royal Commission into Aged Care Quality and Safety. Final Report Volume 1. https://www.royalcommission.gov.au/system/files/2021-03/final-report-recommendations.pdf
[9] COTA Tasmania. (2024). Care Finder Program - COTA Tasmania
[10] Carers Tasmania. (2023). National Carer Survey 2022 Tasmanian Results. https://carerstas.org/wp-content/uploads/2024/01/2022-National-Carer-Survey-Tasmanian-Report.pdf
[11] Disability, Ageing and Carers, Australia: Summary of Findings, 2022 | Australian Bureau of Statistics

Co-contributions and financial hardship

Although the Act contains a 'no-worse-off' principle and methods to determine the level of co-contribution applicable depending on circumstances,[12] it is likely that older people and their carers will limit their uptake of support due to co-contribution costs. This could lead to illness, injury, carer burnout, hospitalisation and premature entry into residential aged care. The Older Person's Advocacy Network (OPAN) is advocating for co-contribution payments to be removed for integral supports such as personal care and respite.[13] This is based on their ongoing consultation and advocacy work. For example, in their recent *Presenting Issues Report: July 2023-June 2024*, OPAN highlighted findings of *"poor communication, lack of choice and control and issues around fees and charges as being the major challenges identified for the third year in a row*." [14] Carers Tasmania supports OPAN's position that co-contribution payments be removed for integral supports such as personal care and respite.

Although the mechanisms to apply for financial hardship will be based on existing hardship processes and provisions, Carers Tasmania recommends that a clearer and easier process to apply for financial hardship be established. Clear information about financial hardship provisions and rights must be provided to clients and their carers in accessible and understandable formats. Older Australians and their carers must also be able to access support to assist them in completing these applications. OPAN recently proposed a range of mechanisms in their submission on the Aged Care Bill 2024[15] that they suggest would help remove barriers faced by older Australians and their carers in trying to navigate financial hardship processes. One of these suggestions includes that Services Australia could automatically populate financial hardship applications with the financial information that is already held within their database to assist in streamlining this process. This could support more people to use this pathway if they require it.

Rural and remote support

It is pleasing that the Consultation Draft outlines supplements available for those living in rural and remote communities, in particular, those who live within the Modified Monash (MM) 6 or 7 areas.[16] Although rural and remote initiatives such as this already exists, Carers Tasmania continues to hear from carers who are unable to secure support for the people they care for because of where they live. Carers Tasmania is aware that there will be thin market grants for rural and remote providers to help support them with additional costs. However, we suggest that a strong and ongoing focus, with real-time progress monitoring, is taken on uplifting support provision in these areas. This Act must reduce the disadvantage faced by older Australians and their carers who live in rural and remote areas and experience limitations in accessing the support they require. The inability to access supports is a risk to the health and wellbeing of older Australians and their carers, placing more pressure on carers, residential aged care facilities, hospitals, and the broader health system.

[12] Australian Government. (2024). Aged Care Act. Federal Register of Legislation - Aged Care Act 2024
[13] Older Persons Advocacy Network (OPAN). (2024). Submission on New Aged Care Act Rules. https://s3.ap-southeast-2.amazonaws.com/cdn-production.opan.org.au/uploads/2024/11/20241031_FINAL_OPAN_Submission_Rules_Service_List.pdf
[14] Older Persons Advocacy Network (OPAN). (2024). The National Aged Care Advocacy Program Presenting Issues Report. https://s3.ap-southeast-2.amazonaws.com/cdn-production.opan.org.au/uploads/2024/11/OPAN_Presenting_Issues_Report_112024_web.pdf
[15] Older Persons Advocacy Network (OPAN). (2024). Submission on the Aged Care Bill. 20241004_OPAN_Submission_Aged_Care_Bill_2024.pdf
[16] Australian Government Department of Health and Aged Care. (2024). new-aged-care-act-rules-consultation-release-2a-funding-for-support-at-home-program.pdf

4. Conclusion

Carers Tasmania thanks the Australian Government for the opportunity to provide feedback on this stage of the Aged Care Reforms and looks forward to providing additional feedback as further consultation occurs. We trust that our feedback will be considered to help improve access to support and information for older Australians and their carers.