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Committee Secretariat
Senate Standing Committees on Community Affairs
PO Box 6100
CANBERRA ACT 6000

Via email: community.affairs.sen@aph.gov.au

Dear Committee Chair

Thank you for the opportunity to provide a submission on the Aged Care Bill 2024. The Office of the Public Guardian (OPG) appreciates the extension of time to provide this response.

Relevant to this inquiry, the Public Guardian can make decisions about personal matters for people aged over 18 years with impaired decision-making capacity if appointed by the Queensland Civil and Administrative Tribunal (QCAT) pursuant to the *Guardianship and Administration Act 2000*, or as attorney appointed by the person under an enduring document pursuant to the *Powers of Attorney Act 1998*. OPG applies a structured decision-making framework to maximise the person's participation in decision making as a fundamental aspect of their inherent dignity.

Having had the benefit of reading the Queensland Public Advocate's submission of 24 September 2024, OPG writes to support and reinforce the Public Advocate's concerns with the Bill. We strongly support the Public Advocate's feedback relating to restrictive practices and the role of supporters.

Additionally, OPG welcomes the enhancements to the aged care complaints framework, including the introduction of an independent statutory Complaints Commissioner. The new Complaints Commissioner role will help to ensure the rights and wellbeing of aged care recipients are protected and upheld through promoting the independence, transparency and accountability of complaints handling by the Aged Care Quality and Safety Commission.

OPG also supports the introduction of the new independent aged care advocate role, which will provide free, independent and confidential support, information and advocacy for aged care recipients. We welcome the provisions that require aged care advocates to act at the direction of the aged care recipient and in line with their expressed wishes, will, preferences and rights. Providing education about the rights of individuals under the Statement of Rights is also a positive inclusion in the Bill.

We trust this information is of assistance.

Yours sincerely

Lisa Pritchard
Deputy Public Guardian

Enc. Queensland Public Advocate submission 24 September 2024