



Confidential Item

For Council meeting to be held on

Tuesday 5 May 2026 at 7:00 pm

Refer Item 11.6

Confidential Item

11.6 Future of Campbelltown Home Support Program

Manager Community Services & Social Development, Tracy Johnstone's Report

Purpose of Report

To consider the future of the Campbelltown Home Support Program (CHSP) in light of the new Aged Care Act and incoming Support at Home Program.

Strategic Plan Link

Focus Area 1.1.1 Provide services and programs that deliver a wide range of sporting, leisure and recreational opportunities

Previous Council/Committee Resolution

At its meeting on 5 December 2023, Council resolved:

‘That Council support Option 2 and:

1. advise the Federal Government funding body that Council will commence the transition out of Commonwealth Home Support Program domestic assistance, home maintenance and home modification services with all delivery ceasing by no later than 30 June 2024, and
2. apply for funding to continue to deliver (and potentially expand) Commonwealth Home Support Program social support group, social support individual and transport services until 30 June 2025,
3. and that a further report be prepared for Council's consideration once the Support at Home funding model is released to consider service delivery from 1 July 2025.’

Background

Council successfully transitioned out of Commonwealth Home Support Program domestic assistance, home maintenance and home modification services and subsequently, supported existing clients transition to new providers at that time. Council have received funding for the CHSP social support group, social support individual and transport services until 30 June 2025. Subsequently, the Federal Government extended Council's CHSP funding agreement to 30 June 2027, as they delayed the transition to the new Support at Home Program until 1 July 2027. This explains why Staff have not come back to Council before now as per the previous resolution.

Council has been delivering CHSP services for over 20 years and currently has a funding contract valued at approximately \$330,000 until 30 June 2027 with the Federal Government to deliver the following services:

- **Social Support Group: Campbelltown CHSP Get Connected Program**

There are currently 246 active clients who receive close to 10,000 hours of social support in a group setting per year.

This program receives approximately \$192,000 funding and \$31,900 in client contributions.

- **Social Support Individual: Volunteer shopping support**

There are currently 36 active clients who receive 610 hours of social support individual.

This program receives approximately \$31,900 funding.

- **Transport:**

Clients are supported with individual transport or van transport to medical, social or personal appointments by Volunteers. Volunteers use their own car and are reimbursed, use a Council pool vehicle or Council's van which CHSP leases from Council for \$13,100 per year.

There are currently 192 active clients who receive 5,826 one way trips per year.

The programs receives approximately \$106,700 funding, and \$34,100 in client contributions.

The above Campbelltown HSP is delivered by 3 Staff (2.2 FTE) funded by the Federal Government, who are all contracted to 30 June 2027 in line with the current funding agreement.

Discussion

On 1 November 2025 the new Aged Care Act was introduced and with this legislation came new obligations for Council, Staff, Volunteers and Elected Members involved with CHSP.

The changes relate to both governance and operational requirements. Staff are implementing the required operational requirements.

The changes for governance are particularly relevant for Council as under the Act Elected Members are considered Responsible Persons which brings with it statutory responsibilities.

The obligations of Responsible Persons include:

- Code of Conduct –must follow the Aged Care Code of Conduct (attached).
 - Complaints and whistleblowers – must not threaten or cause harm to whistleblowers or potential whistleblowers and must not disclose their identities.
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- Suitability – must inform Council of any changes in circumstances that may affect their suitability as a Responsible Person.
- Financial accountability - must support the Council in meeting its financial requirements.
- Applications request and notifications – must not give false or misleading information in applications, claims and requests.

Council must maintain a mandatory list of Responsible Persons, with the following checks:

- Bankruptcy register search via the Australian Financial Security Authority
- Police clearance
- Register of reviewing banning orders (available online).

The Aged Care Act also has statutory governance duties for Responsible Persons under s.179 and s.180.

Section 179 places a duty on the registered provider to ensure, so far as is reasonably practicable, that its conduct does not cause adverse effects to the health and safety of older people receiving aged care.

Section 180 requires Responsible Persons to exercise due diligence to ensure the provider complies with this Duty. Due diligence includes taking reasonable steps to:

- Acquire and maintain knowledge of obligations under the Act
- Understand the nature of Aged Care Services delivered and associated risks
- Ensure appropriate systems, resources and processes are in place to manage those risks
- Ensure effective incident management, reporting and regulatory engagement; and
- Monitor ongoing compliance with registration and governance requirements.

The Act contains a range of civil penalties that could be imposed by a court on an organisation or individual. The civil liabilities for breaching the statutory duty requires a finding by the court that the responsible person has not exercised due diligence, and that their conduct, which must be a significant departure from the conduct that could reasonably have been expected, or part of a systematic pattern, has exposed an older persons to a risk of death or serious injury or illness. This demonstrates that this pathway is for the most serious of failures.

Support at Home Program

The Federal Government plans to transition the Commonwealth Home Support Program to the Support at Home Program from 1 July 2027. Staff believe that this would always be a trigger point for Council to make a decision about whether to continue delivering these type of services. Support at Home marks a significant change in service delivery model away from a community service model with block funding that is the case now, to a competitive business model where funding is paid as a fee for service.

The new model aligns less with Council's role in providing services and moves towards running an Aged Care business.

Options

Council can make a decision about whether to, and when to, exit the CHSP contract. The Federal Government require 6 months notice and there are two identified exit points.

Option A – Exit in December 2026

- Staff would notify the Federal Government of Council's intent to transition out of service provision.
- The existing clients would be transitioned to new providers for the three CHSP services. The services would be different and there is no guarantee that the service levels will be comparable to Council's current programs.
- Current Elected Members would need to undertake the responsible person screening tests and meet the Aged Care Act obligations as a Responsible Person.
- Staff are contracted until 30 June 2027, Council would need to fund the cost of these Staff unless they can be transitioned to other roles that may be vacant.

Option B – Exit in June 2027

- Stay in until end of current contract and exit at the transition to the new Support at Home Program.
- Current Elected Members would need to undertake the responsible person screening tests and meet the Aged Care Act obligations as a Responsible Person.
- New Elected Members after the November Elections would need to undertake the responsible person screening tests and meet the Aged Care Act obligations as a Responsible Person.

If Council chooses Option B and the Federal Government has a change in policy direction before 30 June 2027 to retain block funding for the services delivered by CHSP, Staff will bring a further report back to Council.

In the absence of block funding, Staff will consider how Council could potentially continue to run similar programs from 1 July 2027 and will bring a further report back to Council for consideration.

Social Implications

CHSP has been an important and valued service to the local community for over 20 years. Council has broadened its work and commitment to older people through the funding of its ageing well work. Council is committed to supporting older people to age well in Campbelltown. Council has a Section 41 Ageing Well Advisory Committee and a Community Development Officer (Ageing Well) who is responsible for the:

- Ageing Well Program at Magill Community Centre
- Ageing Well information series
- Bi-monthly newsletter
- Staying Connected Guides promoting the available activities in the area and nearby.

Environmental / Climate Change Implications

There are no environmental / climate change implications in relation to this report.

Asset Management Implications

There are no asset management implications in relation to this report.

Governance

With the Aged Care Act 2024 now in effect (1 November 2025), Councils delivering Aged Care services are now classified as approved providers and Elected Members are deemed 'responsible persons', carrying new statutory duties, screening and suitability requirements, and potential personal risk exposure.

Risk Management

There are risks for Council in providing the CHSP due to the introduction of the new Aged Care Act and its obligations as Responsible Persons. These have been outlined in the discussion of this report.

Staff do have risk assessments in place to mitigate risks for Campbelltown HSP clients, including procedures and training for Staff and Volunteers.

Community Engagement

There are no Community engagement implications in relation to this report.

Regional Implications

There are no regional implications in relation to this report.

Economic Development Implications

There are no economic development implications in relation to this report.

Financial Implications

Option A does have financial implications as there are 3 Staff contracted to deliver these services until 30 June 2027. These Staff would exhaust all of their leave during this period and could also perform other duties until 30 June 2027. This cost would be approximately \$135,000, unless they can be redeployed to vacant positions.

Option B does not have any financial implications as the current contract is funded until 30 June 2027.

Recommendation

For Council's consideration

Attachments:

1. Aged Care Code of Conduct.



Aged Care Code of Conduct

A fact sheet for responsible persons
and aged care workers



What is the Aged Care Code of Conduct (Code)?

The Code:

- sets out how registered providers (providers) and their aged care workers and responsible persons **must behave and treat older people** when delivering funded aged care services
- **strengthens protections** for older Australians against unsafe, poor-quality aged care services

The Code includes **8 requirements** that describe the behaviours expected of providers, their aged care workers and responsible persons. These are explored in more detail at the end of this resource.

Why is the Code important?

The Code aims to improve the safety, health, wellbeing and quality of life of older people accessing funded aged care services by:

- promoting **ethical, honest** and **respectful** behaviour
- building **trust** in aged care services
- **protecting older people** against providers, aged care workers and responsible persons who pose an **unacceptable risk of harm**.

Who is covered under the Code?

The Code applies to

- All registered providers
- Responsible persons of registered providers (e.g. board members and Chief Executive Officers)
- Aged care workers (including volunteers)

Disclaimer

The information in this resource provides general guidance only. It's your responsibility to know your obligations and legal responsibilities under the *Aged Care Act 2024* and *Aged Care Rules 2025*.

What are your obligations?

You must act in a way that is respectful, kind and consistent with the behaviours set out in the Code. It is your responsibility to understand and follow the Code and to speak up if you have any concerns.

Have a look at [‘The 8 requirements of the Code – tips for aged care workers and responsible persons’](#) at the end of this resource for more about what is expected of you under the Code.

What obligations do providers have?

Providers have obligations under the [Aged Care Act 2024](#) (the Act), to comply with the Code and to take reasonable steps to ensure that you, other aged care workers and responsible persons comply with the Code.

They are also responsible for providing you with support, training and assistance to make sure you understand and follow the Code.

What is the role of the Commission?

The Aged Care Quality and Safety Commission’s (the Commission’s) role is to protect and improve the safety, health, well-being and quality of life of older people receiving funded aged care services.

The Commission can take action in response to information received about conduct that is inconsistent with the Code.

Actions the Commission can take include:

- working with a provider, and aged care worker or responsible person, to address concerns about their conduct
- issuing a caution letter
- in severe cases, banning a provider, aged care worker or responsible person from being involved in aged care.

Need more information?

If you have questions or concerns about the Code, you can chat with your aged care provider or contact the Commission by:

- completing our [online contact form](#)
- info@agedcarequality.gov.au
- 1800 951 822 (free call)
- Aged Care Quality and Safety Commission
GPO Box 9819, in your capital city.

The 8 requirements of the Code – tips for aged care workers and responsible persons

The table below provides some practical examples of expected behaviours of each requirement along with examples that are inconsistent with the Code.

Requirement	✓ Examples of expected behaviour	✗ Examples of unacceptable behaviour
A.  Act with respect for individuals' rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.	<ul style="list-style-type: none"> • Asking and listening to what older people need and want. • Talking in a way that is easy to understand. • Helping older people to make decisions when they need support. 	<ul style="list-style-type: none"> • Telling an older person to do something they do not want to. • Not including the older person in decisions about their care and services. • Keeping an older person away from places or activities they want to see or do.
B.  Act in a way that treats individuals with dignity and respect and values their diversity.	<ul style="list-style-type: none"> • Respecting an older person's social, cultural, religious and ethnic background. • Working in a way that helps older people feel comfortable and safe. • Encouraging older people to speak up about their likes and dislikes. 	<ul style="list-style-type: none"> • Making fun of an older person's social, cultural, religious, ethnic or health background. • Talking down to an older person or treating them in a disrespectful way. • Telling an older person their beliefs are wrong or silly.
C.  Act with respect for the privacy of individuals.	<ul style="list-style-type: none"> • Keeping personal information of older people safe in line with provider policies. • Being aware of the personal privacy needs and preferences of older people. 	<ul style="list-style-type: none"> • Not requesting permission of older people when providing personal care and services. • Providing personal care to older people in places that are not private.
D.  Deliver funded aged care services in a safe and competent manner, with care and skill.	<ul style="list-style-type: none"> • Using equipment safely. • Having the right skills, experience and qualifications for the job. • Following provider policies about safe and up to date work practices. 	<ul style="list-style-type: none"> • Delivering care or services you do not have the skills or qualifications to deliver. • Not reporting unsafe equipment, unsafe practices or near misses to your provider.
E.  Act with integrity, honesty and transparency.	<ul style="list-style-type: none"> • Treating older people fairly and not taking advantage of them. • Being honest about your previous experience and training. • Helping older people understand more about their care and services. 	<ul style="list-style-type: none"> • Lying to your provider or to an older person about what you know, or what you hear or see. • Not disclosing a conflict of interest. • Asking or encouraging an older person to give you money or a gift.
F.  Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of funded aged care services.	<ul style="list-style-type: none"> • Knowing how and what to do if something happens. • Speaking up and reporting concerns to the provider to reduce risk of harm. • Making sure older people feel safe to speak up and give feedback or make a complaint. 	<ul style="list-style-type: none"> • Not taking action about a safety or quality concern. • Failing to be open and honest about a safety or quality concern. • Threatening or telling an older person not to complain or report a concern.

Requirement	✓ Examples of expected behaviour	✗ Examples of unacceptable behaviour
G.  Deliver funded aged care services free from: i. all forms of violence, discrimination, exploitation, neglect and abuse and ii. sexual misconduct.	<ul style="list-style-type: none"> • Being alert to situations that may hurt, upset or take advantage of an older person. • Knowing what violent, abusive or neglectful practices look like. • Not committing or participating in any form of violence, discrimination, exploitation, neglect and abuse, or sexual misconduct. 	<ul style="list-style-type: none"> • Physically forcing or threatening an older person to do something they do not want to. • Neglecting, taking advantage of, or abusing an older person. • Acting in a sexual way with an older person.
H.  Take all reasonable steps to prevent and respond to: i. all forms of violence, discrimination, exploitation, neglect and abuse and ii. sexual misconduct.	<ul style="list-style-type: none"> • Following processes to help prevent harm to older people. • Taking action about a safety risk or concern in line with the provider's systems and processes. • Cooperating with the provider and with any investigation or enquiry. 	<ul style="list-style-type: none"> • Not raising a suspicion or concern about violence, abuse or neglect of an older person. • Failing to report a serious or reportable incident to the provider. • Not supporting an older person to speak up about concerns of misconduct.

Refer to the [Aged Care Code of Conduct – provider fact sheet](#) for information about provider obligations in relation to the Code, including behaviours expected of providers for each requirement of the Code.



Aged Care Code of Conduct -
provider fact sheet
[agedcarequality.gov.au/
resource-library/code-conduct-
aged-care-provider-fact-sheet](https://agedcarequality.gov.au/resource-library/code-conduct-aged-care-provider-fact-sheet)

October 2025



Phone

1800 951 822



Web

agedcarequality.gov.au



Write

Aged Care Quality and Safety Commission
GPO Box 9819, in your capital city