

Exposure Draft of the Aged Care Quality and Safety Commission Amendment (Code of Conduct & Banning Orders) Rules 2022

**Response to consultation
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Recipient

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About Dietitians Australia

Dietitians Australia is the national association of the dietetic profession with over 8,500 members, and branches in each state and territory. Dietitians Australia is the leading voice in nutrition and dietetics and advocates for food and nutrition for healthier people and healthier communities.

The Accredited Practising Dietitian (APD) program provides an assurance of safety and quality and is the foundation of self-regulation of the dietetic profession in Australia. Accredited Practising Dietitians play an important role in aged care, such as in the assessment and dietary management of clients with chronic diseases and malnutrition, in the planning and coordination of food service within aged care homes and home delivered meal programs, and in the training of aged care sector staff.

Recommendations

1. More explicitly define who the Code of Conduct applies/doesn't apply to (i.e. clarify if healthcare professionals who provide aged care services, either as employees or contractors to aged care providers, are included or excluded).
2. Expand the definition of 'care, supports and services' in the Schedule to the Code of Conduct beyond the simple references to care, including aged care.
3. Develop a plain language resource for people who work in aged care to interpret and apply the Code of Conduct.

Discussion

Application of the Code of Conduct to healthcare professionals

The provisions of the Code of Conduct apply to 'approved providers, aged care workers of approved providers and governing persons of approved providers'. In the absence of a definition of these terms in the Code, it is uncertain if the Code of Conduct applies to healthcare professionals who provide aged care services (either as employees or contractors to aged care providers). For example, does the Code of Conduct apply to Accredited Practising Dietitians (APDs) who provide nutrition consultancy services to residential aged care homes or in-home aged care providers? Dietitians Australia gives support to the application of the Code of Conduct to all those who work in aged care, including healthcare professionals who are employed or contracted to work across the aged care sector.

Dietitians Australia seeks clarity on this issue by more explicitly defining who the Code of Conduct applies/doesn't apply to, as outlined on page 2 of the Exposure Draft of the Code of Conduct.

Definition of 'Care, Supports and Services'

Schedule 1 to the Code of Conduct (page 8) states: *'The provisions of the Code of Conduct set out in clause 1 apply as if: (a) the references to "care, supports and services" were references to care, including aged care.'*

The references to 'care and aged care' are substantially vague definitions for 'care, supports and services'. It is recommended that this definition be expanded to better describe what 'care, supports

and services' encompass, as leaving it so vague opens it up to wide interpretation. For example, food and nutrition are vitally important aspects of 'care, supports and services', yet it is possible for providers to overlook foodservice as an important aspect of 'care', hence the ongoing problem we see with many examples of poor food offerings in residential aged care.

Dietitians Australia recommends an expanded definition of 'care, support and services' in the Code of Conduct, ensuring food and nutrition care/services are included in the definition. We also recommend the development of a plain language resource for people who work in aged care to interpret and apply the Code of Conduct.