

Understanding the evolution of diversity and inclusion in the aged care legislation and Quality Standards





Diversity and inclusion within the new Aged Care Act

The *Aged Care Act 2024* puts the older person at the centre of care. It is designed to uphold each person's rights, support people to live active and meaningful lives, and ensure aged care services are accessible, safe, inclusive, flexible, and respectful of each person's needs, background, and choices. The Act also promotes positive attitudes to ageing and supports older people to participate fully in society, free from harm or neglect.

The Act places strong emphasis on diversity, inclusion, and person-centred care. It explicitly describes the responsibility of all providers to ensure that aged care services are respectful, culturally safe, and tailored to each person's unique needs, identity, and preferences. This is articulated throughout the Act, including:

The ***Meaning of high-quality care*** that includes that services are delivered in a manner that 'puts the individual first' and upholds their rights. It prioritises tailoring care to the 'personal needs, aspirations and preferences' of each person and 'adapting policy, practices and environments to ensure that services are culturally appropriate for the diverse life experiences of individuals'.

Resources

Further information about the *Aged Care Act 2024* and associated legislation is available from the Department of Health, Disability and Ageing's website. Of particular interest may be:

- About the new rights-based Aged Care Act – <https://www.health.gov.au/our-work/aged-care-act/about>
- New Aged Care Act resources – <https://www.health.gov.au/our-work/aged-care-act/resources>

The *Strengthened Aged Care Quality Standards*, guidance materials and associated resources are available from the Aged Care Quality and Safety Commission's Quality Standards webpage at: <https://www.agedcarequality.gov.au/providers/quality-standards/strengthened-quality-standards>

The *Aged Care Diversity Framework* and supporting resources are available from the Department of Health, Disability and Ageing's *Aged Care Diversity Framework* webpage at: <https://www.health.gov.au/our-work/aged-care-diversity-framework-initiative>



Statement of Rights

The **Statement of Rights** includes that older people have the right to:



Equitable access

- Equitable access to services that are culturally safe, culturally appropriate, trauma-aware and healing-informed



Autonomy and freedom of choice'

- exercise choice and make decisions (including supported decision-making)



Safe, quality care

- be treated with dignity and respect
- safe, fair, equitable and non-discriminatory treatment
- have their identity, culture, spirituality and diversity valued and supported



Communication and complaints'

- communicate in their preferred language or method of communication, with access to interpreters and communication aids as required



Support and social connections'

- stay connected to people, pets, community, Country and Island Home (including by participating in public life and leisure, cultural, spiritual and lifestyle activities).

Statement of Principles

The **Statement of Principles** emphasises the requirement for all the aged care system to demonstrate person centred, inclusive care with a focus on continuous improvement. Principle 4 states 'The Commonwealth aged care system offers accessible, culturally safe, culturally appropriate, trauma-aware and healing-informed aged care services, if required by an individual based on the needs of the individual, regardless of the individual's location, background and life experiences'. It then goes on to describe a range of diversity characteristics to be considered (as described below).

Aged Care Rules

The **Aged Care Rules** (166–170 1c) also requires that all providers have a **continuous improvement plan** and that this includes strategies in relation to 'supporting a diverse and inclusive environment' for individuals accessing services and their workforce.

Diversity planning is therefore now explicitly built into the legislation that guides all aged care providers (regardless of whether their registration requires the provider to undergo an audit against the *Strengthened Aged Care Quality Standards*). This means aged care providers all need to actively listen, adapt care approaches, and support every person's identity, culture, and community connections.



The table below provides an overview of the diverse characteristics, identities, and experiences of older people, which have evolved within the legislation and framework guiding diversity planning in the aged care sector.

Evolution of diversity characteristics in aged care		
Aged Care Act 1997 SECT 11.3	Aged Care Diversity Framework (DH 2017)	Aged Care Act 2024 Part 3, Division 2, Section 25 – Statement of Principles
The objectives of the planning process are: (a) to provide an open and clear planning process; and (b) to identify community needs, particularly in respect of *people with special needs; and (c) to allocate *places in a way that best meets the identified needs of the community.	The framework aims to make sure the aged care system is accessible to all older Australians. It recognises that to support our diverse population, aged care needs to be respectful and inclusive of all people – no matter their background, life experience or care needs.	The Commonwealth aged care system offers accessible, culturally safe, culturally appropriate, trauma aware and healing informed funded aged care services, if required by an individual and based on the needs of the individual, regardless of the individual's location, background and life experiences.
Introduced 9 special needs groups: • people from Aboriginal and Torres Strait Islander communities • veterans • people from culturally and linguistically diverse backgrounds • people who are financially or socially disadvantaged • people who are homeless or at risk of becoming homeless • parents separated from their children by forced adoption or removal • care-leavers • lesbian, gay, bisexual, transgender and intersex people • people who live in rural or remote areas	Diversity characteristics expanded to include: • People with a disability • People with mental health problems and mental illness • People living with cognitive impairment including dementia	Diversity characteristics expanded to include people who: • are adult survivors of institutional child sexual abuse • are neurodivergent • are deaf, deafblind, vision impaired or hard of hearing NB: People living with cognitive impairment including dementia is not included as a diversity characteristic as it is considered core business. The need to ensure equitable access for individuals living with dementia or other cognitive impairments is explicitly stated within the Statement of Rights

Note: The language and terminology used to describe diversity characteristics has evolved over time to provide a more inclusive and contemporary understanding of the diversity of older people. This includes a move away from the use of the term “special needs groups”. When working with individuals, it’s essential to ask people about their preferred terminology and be guided by the person about the language and terms they identify with and use.

Mapping diversity and inclusion within the Quality Standards

The following table outlines how actions related to diversity and inclusion have evolved in the Quality Standards. It maps the requirements included within the Aged Care Quality Standards and the Strengthened Aged Care Quality Standards (in effect as of 1st of November 2025). These are set out to correlate with the action areas outlined in the *Who's Missing? Planning for diversity* training.

Action Areas	Aged Care Quality Standards	Strengthened Aged Care Quality Standards
 Whole of organisation approach	Standard 8 – Organisational Governance: Requirement 3c(ii) Standard 1 – Consumer dignity and choice: Requirement 3a:	Standard 2 – The organisation: Outcome 2.2 Standard 1 – The Individual: Outcome 1.1.2g
 Understanding your community Know who's in your community and their needs	Standard 1 – Consumer dignity and choice	Standard 1 – Consumer dignity and choice Standard 2 – The organisation
 Information Provide relevant, accessible information in easy-to-use formats	Standard 1 – Consumer dignity and choice: Requirement 3e	Standard 1 – Consumer dignity and choice: Outcome 1.1.2b & 1.3
 Environment Create a safe and inclusive environment	Standard 5 – Service Environment: Requirement 3a	Standard 4 – The Environment



Action Areas	Aged Care Quality Standards	Strengthened Aged Care Quality Standards
 Model of care Deliver appropriate, quality services that match the needs of your community	Standard 1 – Consumer dignity and choice Standard 2 – Assessment and planning Standard 3 – Personal care and clinical care Standard 4 – Services and supports for daily living.	Standard 1 – The Individual This underpins requirements that describe good practice throughout all elements of service delivery (described in Standards 2–7).
 Workforce Everyone is equipped to deliver care that matches individual needs, goals and preferences	Standard 7 – Human Resources: Requirements 3b & 3c: Standard 8 – Organisational Governance: Requirement 3b	Standard 1 – The Individual: Action 1.1.4: Standard 2 – The Organisation: Outcome 2.2, 2.6, 2.8 & 2.9 Standard 5 – Clinical Care: Action 5.1.3
 Tools and systems Use fit-for-purpose tools, and systems	Standard 2 – Assessment and planning Standard 3 – Personal care and clinical care Standard 4 – Services and supports for daily living Standard 6 – Feedback and complaints.	Standard 1 – The Individual: Outcomes 1.1, 1.3 & 1.4 Standard 2 – The Organisation: Outcomes 2.3, 2.4, 2.5 & 2.7 Standard 3 – The Care and Services: Outcomes 3.1 – 3.4 Standard 5 – Clinical Care: Action 5.1.5
 Policies and procedures Policies and procedures enable best practice	Embedding diversity within policies and procedures provides necessary evidence to support providers address all of the Aged Care Quality Standards	Standard 2 – The Organisation: Action 2.3.7 Note: Embedding diversity within policies and procedures provides necessary evidence to support providers address all of the Strengthened Aged Care Quality Standards
 Partnerships and collaboration Work together to deliver safe and inclusive services	Standard 2 – Assessment and planning: Requirement 3c Standard 3 – Personal care and clinical care: Requirement 3f Standard 4 – Services and supports for daily living: Requirement 3d & 3e	Standard 1 – The Individual Standard 2 – The organisation Standard 3 – Care and services: Actions 3.1.2, 3.1.3 & 3.2.4 Standard 5 – Clinical Care