

Care and services plans in aged care: what are your rights?

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A **guide** for people receiving Commonwealth-funded aged care in residential care and under Commonwealth home support packages (**CHSP**) and the replacement Support at Home program (**Home Support**), their families, supporters and carers relating to Care and Service Plans (**Care Plans**).

Did you know that...

- The Care Plan must be prepared by the Provider prior to delivery of funded services.
- You, as the care recipient, have a choice on how aged care services will be delivered, and your preferences should be included in the Care Plan.
- For Home Support, the Care Plan should identify frequency and duration of certain subscription services.
- Care should be delivered in accordance with the Care Plan.
- Care Plans are to be reviewed at least annually.
- The Provider must give you a copy of the Care Plan.
- You can raise Care Plan concerns with your Provider, make a complaint to the ACQSC, or seek legal advice.

What are Care and Services Plans?

From 1 November 2025, registered Providers delivering Commonwealth-funded aged care services are required to develop Care Plans for each person receiving funded aged care services, in residential care and under the Home Support program.

The Care Plan is an important document providing information on how Commonwealth-funded aged care services will be delivered by Providers. Providers must provide services in accordance with a Care Plan. Unlike service agreements which focus on prices, terms and conditions of service, as well as the rights and responsibilities of both parties, a Care Plan is a person-centred document used to formalise a person's choice and control over their services.



1 Care and Services Plans in Residential Care

Providers of residential care must prepare and review Care Plans for each person receiving funded aged care services. The Care Plan:

- must be prepared by a registered nurse for each person receiving residential funded aged care services at or before the commencement of providing services;
- must describe the current care needs, goals and preferences of the individual and include strategies for risk management and preventative care;
- must be prepared by the Provider actively engaging with the individual, their supporters and any other persons involved in the care of the individual;
- must be reviewed regularly, especially if there are significant physical or cognitive changes, and must be reviewed at least once every 12 months;
- when the Care Plan is completed, and when it is updated, a copy must be provided to the person receiving care, and at other times on the request of the person receiving care.

The Provider must ensure that Care Plans are used by aged care workers to guide the delivery of funded aged care services. The Provider must ensure that funded aged care services are delivered in a way that is culturally safe and culturally appropriate for individuals with specific needs and diverse backgrounds.

2 Care and Services Plans under Home Support

Providers of Home Support funded aged care must provide and review Care Plans for each person receiving funded aged care services. The Care Plan:

- must be prepared by a Care Partner (a designated staff member of the Provider) for each person receiving Home Support funded aged care services at or before the commencement of providing services;
- must describe the current care needs, goals and preferences of the individual; and include strategies for risk management and preventative care;
- must set out the services the individual has agreed to receive including:
 - who will deliver the services
 - when they will deliver the services
 - frequency of services;
- must set out any assistive technology and home modifications the individual is to receive;
- must be prepared by the Provider actively engaging with the individual, their supporters and any other persons involved in the care of the individuals;
- must be regularly reviewed, especially if there are significant physical or cognitive changes, and must be reviewed at least once every 12 months;
- when the Care Plan is completed, and when it is updated, a copy must be provided to the person receiving care, and at other times on the request of the person receiving care.



The Provider must ensure that Care Plans are used by aged care workers to guide the delivery of funded aged care services. The Provider must ensure that funded aged care services are delivered in a way that is culturally safe and culturally appropriate for individuals with specific needs and diverse backgrounds.

If your C&SP has not been prepared, reviewed or followed appropriately, you can:

- Discuss the issue with your aged care Provider and request the Care Plan be prepared, reviewed or updated and for services to be delivered in accordance with the Care Plan. You can ask for a copy of your Care Plan.
- Make a complaint to the Aged Care Quality and Services Commission (ACQSC), who is the Regulator for aged care service Providers. It is a condition of registration that Providers abide by the regulations regarding Care Plans. The Regulator may compel the Provider to abide by the Care Plan obligations or may impose restrictions on their registration, or fine the Provider. Aged care workers and management may also be held responsible for breaches of the conditions for Care Plans.
- Seek independent legal information or advice about your rights and options by contacting Aged Care Justice.

Contact Aged Care Justice if you would like a free legal consultation:



Email: info@agedcarejustice.org.au

Call: 0417 234 415

Website: www.agedcarejustice.org.au

DISCLAIMER: This fact sheet is for general information purposes only and does not represent legal advice. As it is not intended to be comprehensive in relation to the topic, other inclusions or exemptions may apply. The law and policy referred to in this document will be in force from 24/08/2026.