



Australian Government



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Home Care Packages Program and changes to employment conditions for home care workers:

Information for care recipients

From 1 July 2022, employment conditions for some home care workers covered by the Social, Community, Home Care and Disability Services Industry Award 2020 (**SCHADS Award**) are changing. The SCHADS Award covers the crisis assistance and supported housing, social and community services and home care industries, and provides minimum conditions and entitlements including pay, hours of work, rosters, breaks, allowances, penalty rates and overtime.

Workers covered by the SCHADS Award may include the people who provide your personal care, domestic assistance, or home maintenance.

These changes are an opportunity for the aged care sector to attract more workers to aged care. Home care providers are preparing for these changes and may seek to alter your existing home care arrangements. This fact sheet helps you understand the changes and what they might mean for you.

What is changing for home care workers?

Employment conditions for some home care workers are changing. For home care workers covered by the SCHADS Award, the changes include:

- Casual home care employees must be paid for a minimum of two-hours for each shift (increased from one hour).
- Part-time home care employees must be paid for a minimum of two-hours for each shift.
- Employees must be paid an allowance if they work a broken shift, being a shift of at least two periods of work and one unpaid break in a 12-hour period.
- The introduction of a damaged clothing allowance.
- The introduction of minimum payment and other requirements for employees who perform remote work as defined under the SCHADS Award.
- There are also new rules around pay and make-up time that apply where a care recipient cancels a service.

Home care workers do not have to complete their full two-hour shift with one care recipient. They can deliver supports to more than one care recipient and at more than one location during the two-hour period of their shift.

For the latest information on all changes, please refer to the [1 July 2022 changes to Social, Community, Home Care and Disability Industry Services Award](#) on the Fair Work Ombudsman website.



What impact will these changes have on care recipients?

Providers are planning for and implementing changes to how they will manage home care services to ensure they are compliant with the SCHADS Award changes.

The important thing to know is that changes to home care worker employment conditions do not change the rules for the Home Care Packages Program.

Your consent and agreement are still required before your provider can make changes to your:

- o Home Care Agreement;
- o Individualised budget; and
- o Care plan

Any changes proposed must be reasonable, fair and must align with your assessed aged care needs and goals.

Providers may propose changes to your care arrangements including:

- changing the time or worker delivering your home care services
- combining services you already receive
- providing additional services that align with your assessed age-related care needs and goals.
- increasing prices for services

Providers should not:

- charge you a minimum service charge (for example charging for two-hours for a 30 min service)
- mandate unreasonable service times where services are not being delivered or not needed (for example a minimum service time of two hours where only a 30-minute service is required to meet assessed needs)
- add on additional care services that you do not agree to or that do not align with your assessed age-related care needs and goals.
- increase prices without your informed consent or without warning. Pricing must be consistent with your individualised budget and/or published prices on My Aged Care (depending on the terms of your Home Care Agreement) and be transparent in the [monthly statement](#).
 - o some care recipients may have agreed in their Home Care Agreement that their provider could increase prices periodically. This is only enforceable where you fully understood the terms of the Home Care Agreement and the terms were fair.

When considering the changes, think about whether the proposed changes:

- make the most of your Home Care Package
- meet your assessed age-related care needs and goals
- suit your personal circumstances and lifestyle.

We ask that care recipients be flexible where they can support these changes to improve conditions for workers in the sector.

Where you do not feel that your provider can meet your needs within your budget, you may wish to consider whether there are other providers who may be better suited to provide your care and services.



Frequently asked questions

My provider wants to make changes to my existing home care arrangements. Do I have to agree to these changes?

Changes cannot be made to your Home Care Agreement, care plan or individualised budget without your informed consent.

For more information on your rights and the Home Care Package Program visit [Home care - a guide to your consumer rights | ACCC](#) and [Unfair contract terms | ACCC](#).

The changes my provider wants to make to my care arrangements will mean that I won't be able to get the care I need within my Home Care Package budget. How can I get the help I need?

Changes cannot be made to your Home Care Agreement, care plan or individualised budget without your consent.

If changes are fair and reasonable you can negotiate any increase in costs with your provider. If they are not reasonable, for example charging for a two-hour service when only 30 minutes is needed see [Advice and Support](#) below.

If your Home Care Package budget is already fully allocated, there may be some circumstances in which you can receive Commonwealth Home Support Programme (CHSP) services on top of your existing Home Care Package services. Contact [My Aged Care](#) for more information.

If your circumstances have changed or you need more support, your provider should assist you to arrange an ACAT assessment with My Aged Care. An ACAT can determine if a review of your needs is appropriate to determine if more care and services are required.

You may also wish to consider whether there are other home care providers who may be better suited to provide your care and services. See [Where can I find more information?](#) for assistance.

Can my provider charge me for the time workers spend travelling to or from my home?

Depending on the terms of your Home Care Agreement, home care providers may charge a per kilometre cost for a care worker to travel to your residence or may charge this as part of a care workers hourly rate. However, providers cannot charge you twice and if the charge has not been previously agreed, a provider cannot introduce this charge without your consent.

My provider has advised that they can no longer deliver my Home Care Package, as they are unable to meet my care needs because of the changes in the SCHADS Award. What are my rights and options?

Home care providers are required to continue to deliver the agreed care and services to you for as long as you need those services (detailed under the Security of Tenure requirements in the *User Rights Principles 2014*).



Providers may need to adjust care and services to ensure they can continue to deliver them within the available package budget. Changes can only be made with your informed consent. Providers cannot use coercion to force you to agree to a price increase or change in services.

Where a provider is saying they need to increase their prices to run their business, you have the right to request the following:

- a clear and simple presentation of the financial position of the home care service, including the costs of home care, that explains any ongoing fees payable by you; and
- the provider's audited accounts.

If you request this, the provider must give this to you within seven days. You can use this evidence to consider whether your provider's request to make changes is reasonable or not. Where home care providers can no longer deliver agreed services, providers must assist their care recipients to find a new provider, local to their region. This can happen if a provider plans to stop providing services in that region or can no longer run a sustainable business.

If you consider that your agreement has been terminated unfairly, you may wish to seek [Advice and Support](#).

Can home care providers charge me for cancelling a service?

Depending on the terms of your Home Care Agreement, home care providers may charge a care recipient a cancellation fee. The rules providers apply can vary but must be reasonable. However, if this charge has not been previously agreed, a provider cannot introduce this charge without your consent.

Advice and Support

If you have any concerns, speak first with your provider. If you are hesitant about doing this because you feel it may affect the services you are receiving, remember that you have a right to complain, and this should not impact the services you receive. All providers are required to have their own complaints handling process. You can also engage the support of an advocate to talk to your provider. Raising your concerns is an opportunity for providers to understand issues, find solutions and improve their care.

The Older Persons Advocacy Network (OPAN) is a free, confidential, and independent service supporting people receiving or applying for Government-subsidised aged care. An OPAN advocate can help you raise and address any aged care issues and understand your aged care rights. Call OPAN on 1800 700 600 between 8am to 8pm, Monday to Friday and 10am – 4pm Saturday or visit <https://opan.org.au/>.

The Aged Care Quality and Safety Commission (Commission) provides a free service to raise concerns that relate to the quality of Commonwealth-funded home care services. There are strict confidentiality and anonymity provisions within aged care legislation that ensure people who request confidentiality are protected from having their identity disclosed. The Commission can be contacted on 1800 951 822 or by visiting: www.agedcarequality.gov.au.



Where can I find more information?

To search for providers in your area, you can visit the My Aged Care website at: www.myagedcare.gov.au and search for 'Find a provider' or call the My Aged Care contact centre on 1800 200 422 for assistance.

[Home care agreements for Home Care Packages | Australian Government Department of Health](#),

[Home care - a guide to your consumer rights | ACCC](#)

[Home Care Packages Program Manual \(PDF\) | My Aged Care](#)

