The following organisations support, for a trial period, this Code of Ethics and the associated Guide to Ethical Conduct.
The following key organisations support the introduction for a trial period of this *Code of Ethics* and the associated *Guide to Ethical Conduct*. 

1. ANHECA
2. Aged & Community Services • Australia
3. Council on the Ageing (Australia)
4. Carers Association of Australia
5. Alzheimer’s Association Australia
6. Sharing Dementia Care
7. N.S.W. Nurses Association
Code of Ethics for Residential Aged Care

The Aged Care sector recognises the need for the protection of fundamental human values in the context of the common good of all who deliver and receive residential Aged Care services.

As partners in the delivery of residential Aged Care services, providers recognise that these fundamental human values derive from the inherent dignity of the human individual.

In accordance with our expertise and in the context of our relationship to residents we commit ourselves to protect the following rights of our residents:

i. the right of individuals to be treated with respect;

ii. the rights of the individual to life, liberty, and security;

iii. the right of individuals to have their religious and cultural identity respected;

iv. the right of competent individuals to self-determination;

v. the right to an appropriate standard of care to meet individual needs;

vi. the right to privacy and confidentiality;

vii. the recognition that human beings are social beings with social needs.
And we will protect these rights no matter how frail, physically or mentally disabled, or financially, socially or psychologically vulnerable, the resident may be.

We further recognise that all partners in the delivery of Aged Care services have the same fundamental human rights which carry with them the duties and obligations set out in the *Guide to Ethical Conduct*. 
Background

The Aged Care sector is committed to the provision of care to a standard appropriate to the needs of all those who are residents of residential Aged Care services under the Aged Care Act 1997 (the Act). This document provides two voluntary codes to assist the Aged Care sector in meeting its goals, a Code of Ethics (the Code) and a Guide to Ethical Conduct (the Guide). The fundamental human values identified in the Code drive the way in which key personnel and all those involved in the provision of services¹ to Aged Care residents, in partnership with the Commonwealth, make, implement, and evaluate policies which affect the delivery of those services for the benefit of Aged Care residents through the Guide.

The Code and the Guide apply in relation to residential Aged Care services provided under the Act.

The Code and the Guide in no way affect the operation of the Act and Principles made under the Act.

The Code and the Guide are based on an understanding of the mutual obligations and interests of all the parties involved, including aged care residents and their families, and on the need for all partners to comply with all relevant legislation, service agreements and other professional codes of practice.

¹These people include owners, approved providers (providers), managers, boards, administrators and all health professionals.
Purpose of the *Code* and the *Guide*

The aim of the *Code* and the *Guide* is to set out the ethical commitments made by the Aged Care sector in addition to its legal obligation to comply with the *Act* and the *Principles* made under the *Act*. The purpose of the *Code* and the *Guide* is, then, to:

i. identify and set out the values that underpin the conduct and practice of residential Aged Care services delivered under the *Act*;

ii. set out the Aged Care sector’s commitment to the provision of care in ways that fully respect fundamental human values and its commitment to continuous improvement;

iii. identify the standards of conduct and practice, including their ethical underpinnings, which the community, providers, staff and residents of residential Aged Care services can expect in relation to all areas of care provision; and

iv. provide a basis which will enable individual organisations to develop written protocols which will support and inform the ways in which care is delivered under the *Code* and the *Guide*. 
Mutual Obligations

The delivery and reception of Aged Care services occur within a framework of interdependent relationships. These interdependent relationships have been forged between the partners who have collaborated together to serve the needs of frail, elderly Australians. The partners, providers, employed and contracted staff, attending professionals, volunteers, and residents (and their families/representatives), work together to provide optimal Aged Care services for residents. Accordingly, each partner has an obligation to respect the rights and duties of the other partners.

This document has two parts, the Code and the Guide.

The Code represents the agreed values, expressed as human rights, to which the partners are committed and upon which their practice is based.

The Guide sets out for each partner the ethical obligations each has to the others if each is to respect the human rights of the other partners as set out in the Code.

The Guide does this by identifying specific obligations each partner has to the other in relation to the seven fundamental human values, and in a way that avoids any practices which would unjustly discriminate against any of the partners to the Aged Care enterprise.
Obligations and Duties of the Commonwealth

The Commonwealth is committed to Aged Care as expressed in the objects as currently provided in the Act, which include the following as generally summarised below:

i. providing funding for specific care needs of older, frail Australians;

ii. promoting a high quality of care and accommodation that meets the needs of individuals;

iii. protecting the health and well-being of the residents of Aged Care services;

iv. encouraging diverse, flexible and responsive Aged Care services;

v. planning effectively for Aged Care services that are targeted according to the greatest need and avoiding duplication;

vi. facilitating respite for families, and others who care for older people;

vii. facilitating access to Aged Care services for those who need them, regardless of race, culture, language, gender, economic circumstances or geographic location; and

viii. facilitating residents’ enjoyment of the same rights as all other Australians.

2The Act (and indeed the Principles under the Act) are subject to amendment at any time, including to the objects of the Act generally summarised in this section.
Guide to Ethical Conduct

Employed and Contracted Staff

The provider expects each paid staff member, in adhering to the Code, will also adhere to their own professional code of ethics (if any), and accept the following responsibilities:

**Value 1: The right of individuals to be treated with respect.**

Employed and contracted staff should:

i. treat residents and their families, the provider, staff and attending professionals with respect, dignity and courtesy.

**Value 2: The rights of the individual to life, liberty and security.**

Employed and contracted staff should:

i. promote emotional security, provide physical security, and enable religious and spiritual security for residents in the context of the services provided;

ii. observe safe work practices so as to minimise the risk of workplace injury to residents, self and others;

iii. provide and promote to all residents or their representatives information regarding advocacy services and complaints mechanisms;
iv. declare to the provider any conflict or potential conflict of interest regarding pecuniary involvement in the business dealings of the organisation and/or in any personal relationships with residents; and

v. handle residents’ day to day finances, if requested, with due probity and a high level of documented accountability to residents or their designated representatives.

Value 3: The right of individuals to have their religious and cultural identity respected.

Employed and contracted staff should:

i. respect the rights of residents, their families or representatives, other staff, and the provider, to their own personal, cultural and religious beliefs; and

ii. provide care in a way that supports the cultural and language needs of residents and their families.

Value 4: The right of competent individuals to self-determination.

Employed and contracted staff should:

i. respect the right of residents to their reasonable choices of care provision;

ii. provide opportunities for residents for self-development and to maximise their potential for well-being;
iii. encourage residents or their representatives to take responsibility for their actions and choices; and

iv. facilitate access to independent social, legal, or other advice and help, while remaining removed from residents’ long term financial affairs.

Value 5: The right to an appropriate standard of care to meet individual needs.

Employed and contracted staff should:

i. adhere to all the ethical standards of the home;

ii. maintain care appropriate to the needs of residents in order to optimise their health and well-being;

iii. administer care in line with current best practice, and within his or her levels of expertise, qualifications and authority;

iv. monitor and assist with, a satisfactory intake of food and drink to meet the nutritional requirements, and the personal, cultural, and religious preferences;

v. facilitate consultation with residents and their families or representatives;

vi. report any observed failures of standard of care through the appropriate complaints mechanisms;
vii. participate in risk reduction programs where mistakes and adverse events are identified, reported without blame, discussed and corrected;

viii. work collaboratively with the provider, attending professionals and co-workers to achieve the best outcomes for the residents;

ix. take advantage of opportunities provided for ongoing and further education and training; and

x. use and maintain the buildings, fittings and furnishings provided in a responsible manner.

Value 6: The right to privacy and confidentiality.

Employed and contracted staff should:

i. undertake all care, processes, and tasks in a manner that respects the privacy and confidentiality of residents and their families, other staff members and the provider.
Value 7: The recognition that human beings are social beings with social needs.

Employed and contracted staff should:

i. support the rights of married couples to live a married life$^3$;

ii. provide ease of access for families and other visitors with due regard for the wishes of residents; and

iii. recognise the needs of residents for social contact and provide opportunities for social interaction, including opportunities for developing new friendships within the home.

$^3$The Universal Declaration of Human Rights recognises the right of couples to marry and found a family. Other forms of personal relationships are acceptable to some members of the community but not to others. Individual homes are free to provide for other forms of relationships as they may determine to be in accordance with their own charter.