



HOUSING FOR THE AGED ACTION GROUP INC.

## **Inquiry into Aged Care Bill 2024**

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## About Housing for the Aged Action Group (HAAG)

Housing for the Aged Action Group (HAAG) is a member-based, community organisation specialising in the housing needs of older people. The organisation has over 850 members across the country actively working towards achieving housing justice. Established over 40 years ago as a grassroots movement, the organisation has developed a robust service delivery arm in Victoria and has a strong presence in advocacy for older people experiencing housing and homelessness related issues across Australia. During the 2022-23 financial year, HAAG supported close to 1,550 older people in Victoria.<sup>1</sup>

In 2016, HAAG was funded by the Wicking Trust (a philanthropic organisation) to conduct research in every state and territory to understand the depth and breadth of housing and homelessness issues of older people. In consultation and engagement with services, people with lived experience, advocates and peak advocacy bodies across Australia, the research project produced a number of reports on the housing issues of older people.<sup>2</sup> HAAG was funded in 2020 for a further four years to continue this work.

HAAG welcomes the opportunity to provide input into the development of the new Aged Care Act. This submission is based on our experience delivering housing and related support services to older people, research and lived experiences of older people experiencing housing stress or homelessness in Australia.

As we understand, what is not directly covered in the Act will be elaborated in when the rules are released publicly. Therefore, the comments in this submission are based on what is currently publicly available. In absence of rules on implementation of the Act, the feedback we can provide are limited. HAAG looks forward to the release of additional information and to working with government to ensure the implementation of the Act has equitable outcomes for all older people, especially those experiencing social and economic disadvantages.

## Recommendations

- Ensure older people in private rental, marginal housing and other precarious housing settings have equitable access to support at home similar to homeowners.
- Strengthen enforceability of rights stipulated under the Act accompanied by adequately funded, independent advocacy services.
- Incorporate right to housing in the Statement of Rights similar to recognition of right to an adequate standard of living and other rights.
- Ensure Care finder program providers are closely engaged in the transition of aged care services, particularly in relation to support at home.
- Implement and fund an interim care package to provide a greater level of support for older people who are experiencing or at risk of homelessness, beyond what is currently provided

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<sup>1</sup> Housing for the Aged Action Group, Annual Report 2022-2023, accessible at: [https://www.olderrenters.org.au/sites/default/files/annual\\_report\\_2021-22.pdf](https://www.olderrenters.org.au/sites/default/files/annual_report_2021-22.pdf)

<sup>2</sup> See further: Housing for the Aged Action Group, Ageing on the Edge National Action Project, accessible at: <https://www.olderrenters.org.au/ageing-edge-national-action-project>

by care finder and Support at Home. Selected providers would support at-risk older people to access appropriate housing and wrap-around services and address their aged care needs.

## Support at Home

The new Act aims to legislate a number of changes proposed by the Aged Care Taskforce including Support at Home. Fundamental to receiving support at home is the expectation that older people have a stable home.

The Australian retirement system is built on the expectation that older people will own a home at the time of retirement. Our research demonstrates that this is not the reality for 42% or more older people over 55 years.<sup>3</sup>

According to census data, about 700,000 people aged 55 and older rented from a private landlord, a 73% increase in ten years. There are at least 220,000 older people over 55 renting privately in the lowest two income quintiles.<sup>4</sup> There was an 'unusually strong pace of growth in rent values nationally from late 2020, where the estimated median weekly rent value across Australian dwellings increased by \$115 through to the end of April 2023'.<sup>5</sup> Therefore, these older renters are now likely to be in severe rental stress, experiencing or at risk of homelessness.

HAAG supports measures to ensure older people are able to age in place and close to their networks, medical and community supports. Given the increasing number of older people in private rental during a rental and cost of living crisis, the changes to aged care services including Support at Home could have a negative impact. For example, home modifications can be a challenge for older renters, especially those on short term lease agreements.

Furthermore, these challenges are even more complex for older people in other precarious or marginal housing settings such as rooming houses, share houses, registered and unregistered boarding houses, caravan parks and some retirement housing settings.

### Case study

Dennis\*, a man in his late 70s and a wheelchair user, was referred to HAAG's Care Finder Service. Dennis has lived in his rooming house for 13 years. At the time of referral, Dennis was smoking and drinking heavily as a result of stress and the unlivable condition of his unit.

Dennis has complex needs that directly relate to his mobility. Although his building is technically wheelchair accessible, the heavy, non-automatic entrance door requires Dennis to either rely on others for help or dangerously attempt to open the door himself. This difficulty in accessing the building means Dennis sometimes smokes inside, posing a safety risk. Additionally, his mobility

<sup>3</sup> W. Stone, et al, Ageing in a Housing Crisis: Older people's housing insecurity & homelessness in Australia, 2023, accessible at: <https://www.olderrentants.org.au/publications/ageing-in-a-housing-crisis-older-peoples-housing-insecurity-homelessness-in-australia>

<sup>4</sup> W. Stone et al, Ageing in a Housing Crisis: Older people's housing insecurity & homelessness in Australia (Commissioned by Housing for the Aged Action Group), 2023, accessible at: <https://www.olderrentants.org.au/publications/ageing-in-a-housing-crisis-older-peoples-housing-insecurity-homelessness-in-australia>

<sup>5</sup> Core Logic, Housing Affordability Report: Reflections on the Pandemic and the Rental Market, 2023, accessible at: <https://www.corelogic.com.au/news-research/reports/housing-affordability>

limitations make it hard for him to complete basic tasks like taking out the rubbish or cleaning his unit. His unit has become increasingly unsanitary, with excrements on the floor and his mattress, which he is unable to clean as his unit is too small for his wheelchair to properly manoeuvre.

Despite being approved for a basic CHSP package, service providers have refused to offer assistance due to the poor condition of his unit. The HAAG Care finder team stepped in, working with the Community Housing Provider to get a new mattress, organise an industrial cleaning of his unit, and make the entry door automatic. Since his referral to HAAG's Care Finder service, Dennis has reduced his drinking and is optimistic about improving his living conditions, but more appropriate and ongoing home care is needed to ensure his long-term well-being.

*\*Name and other identifiable details have been changed and the person's consent was obtained to share the case study.*

For older people in private rentals, the housing costs are likely to be the biggest cost and having to make co-contributions for any other expenses would result in them opting out of support. Inability to maintain the gardens in rentals or clean the houses can also threaten older people's tenancies. Receiving a notice to vacate as people age can be challenging in the current housing market where older people have to compete with people who are employed or have higher incomes. Therefore, we hold concerns that these changes could have a negative impact on older people.

### **Case Study**

Arnold\* is a 69-year-old male with physical and mental health issues including Dementia, chronic pain and uses a walking stick. Arnold's wife is his full-time carer, whilst also managing her own health issues.

After receiving a Notice to Vacate from their rental, they were unable to find suitable housing and are now living in a motel, having exhausted their savings. Arnold was approved for a Level 4 Home Care Package but had difficulty navigating and selecting a suitable provider, given his unstable housing circumstances. With Arnold's Home Care Package expiring in 30 days, they are uncertain about their next steps and have been referred for ongoing community support.

*\*Name and other identifiable information have been changed and consent of the person was obtained to share the case study.*

The Royal Commission into Aged Care Quality and Safety final report states that 'there is a need to increase the availability of accessible social housing throughout Australia, so that an increased number of older people, including people experiencing homelessness and those at risk of homelessness, can age and receive aged care services at home. Unsuitable and insecure housing poses greater risks of falls, injury and immobility, as well as the prospect of unanticipated or early entry into residential aged care.'<sup>6</sup>

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<sup>6</sup> Royal Commission into Aged Care Quality and Safety, Final Report: Care, Dignity and Respect, 2021, accessible at: [https://agedcare.royalcommission.gov.au/sites/default/files/2021-03/final-report-volume-3a\\_0.pdf](https://agedcare.royalcommission.gov.au/sites/default/files/2021-03/final-report-volume-3a_0.pdf)

Royal Commission into Aged Care Quality and Safety report states ‘we note that there is currently no discernible connection between the Australian Government aged care program and any Australian Government or State or Territory Government housing program. This must change’.<sup>7</sup>

It is imperative that needs of those in private rentals that are distinct from homeowners are better understood in policy development, especially in relation to receiving aged care services at home.

- Ensure older people in private rental, marginal housing and other precarious housing settings have equitable access to support at home similar to homeowners.

### **Rights based approach**

Previous submissions made by HAAG and other organisations highlighted the need to elevate and strengthen the rights of diverse groups experiencing challenges under the cohorts described as ‘special needs groups’ under the 1997 Act.

According to the explanatory memorandum, the Statement of Rights focuses on what individuals accessing, or seeking to access, funded aged care services can expect from registered providers. Importantly, it outlines rights specifically relevant to the aged care system and the delivery of funded aged care services under the Bill, and not the rights of older individuals more generally.<sup>8</sup> Considering the challenges some older people experience with understanding and exercising their rights, the implementation of the rights for some cohorts may need to be supported by funded advocacy services.

- Strengthen enforceability of rights stipulated under the Act accompanied by adequately funded, independent advocacy services.

### **Supplements and supports for people at risk of or experiencing homelessness**

It is encouraging to see the Act recognise the specific challenges of older people experiencing or at risk of homelessness and providing earlier access to services. However, there is no definition of homelessness in the draft Act.

HAAG supports basing legislation on a human rights framework. However, we reiterate that this framework should ensure strengthening rights of older people who are experiencing disadvantage explicitly. The Bill promotes the right to an adequate standard of living through the inclusion of a Statement of Rights which outlines rights for individuals specifically relevant to the aged care system and the delivery of funded aged care services under the Bill.<sup>9</sup>

As highlighted in the previous submissions, although there are multiple references to several articles in various international instruments, there is no reference to the right to housing in the new Act. Considering the cost saving to the government if older people did not prematurely enter aged care and are supported to age in place, HAAG recommends incorporating right to housing into the Statement of Rights in the Act.

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<sup>7</sup> Ibid

<sup>8</sup> Aged Care Bill 2024, Explanatory Memorandum, accessible at: [https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22legislation%2Fems%2Fr7238\\_ems\\_b7a81da3-8d0c-4501-99e4-0c33f8a39107%22](https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22legislation%2Fems%2Fr7238_ems_b7a81da3-8d0c-4501-99e4-0c33f8a39107%22)

<sup>9</sup> Ibid

- Incorporate right to housing in the Statement of Rights similar to recognition of right to an adequate standard of living and other rights.

### **Care finder program**

Care finder program will play a crucial role in the aged care transition, especially in relation to supporting people experiencing housing challenges to navigate the aged care system. This service will also play a key part in the rollout of support at home for people in private rental, precarious housing or in housing stress. HAAG is currently commissioned to deliver a training program on housing for other providers due to limited understanding about the intersection between aged care and housing.

Given the close nexus between housing and receiving aged care services at home, the government should work closely with the current Care finder providers to ensure the transition of support is smooth and stress free for older people.

- Ensure Care finder program providers are closely engaged in the transition of aged care services, particularly in relation to support at home.

## **Proposal: A new model of care to support older people who are homeless or at risk of homelessness within the aged care system**

### **Specialist support via an interim package program**

There is a need for a specialist service that provides a greater level of support for older people who are experiencing or at risk of homelessness, beyond what is currently provided by care finder and Support at Home. HAAG's Home at Last service is one such model that has been proven to be effective in supporting this cohort.<sup>10</sup> This service could be expanded to include an "interim" package program.

A new interim package program<sup>11</sup> could support older people experiencing or at risk of homelessness while they are waiting for assessment and services. This program would enable selected provider to support at-risk older people to access appropriate housing and wrap-around services and address their aged care needs. As with Home at Last, the importance of obtaining safe and secure housing in order to receive home care will be acknowledged and addressed.

Interim packages should remain in place until the person receives an appropriate Home Care Package, or other appropriate aged care supports. Providing assistance with housing and holistic supports would reduce the use of residential aged care until it is absolutely necessary.

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<sup>10</sup> Ernst & Young Home at Last Economic Appraisal November 2021

[https://www.older tenants.org.au/sites/default/files/home\\_at\\_last\\_economic\\_appraisal\\_-\\_final\\_report\\_-\\_november\\_2021.pdf](https://www.older tenants.org.au/sites/default/files/home_at_last_economic_appraisal_-_final_report_-_november_2021.pdf)

<sup>11</sup> This was one of the recommendations for older people experiencing deep and persistent disadvantage, in the Joint Submission to the Royal Commission into Aged Care Quality and Safety co-authored by HAAG, Jesuit Social Services, Sacred Heart Mission, Catholic Social Services, Vincent Care, St Mary's House of Welcome, Brotherhood of St Laurence

[https://www.older tenants.org.au/sites/default/files/joint\\_subm\\_royal\\_comm\\_aged\\_care\\_may2020.pdf](https://www.older tenants.org.au/sites/default/files/joint_subm_royal_comm_aged_care_may2020.pdf)

Interim packages would provide specialist short-term case management support for older people with significant barriers, providing more comprehensive assistance than the 'linking' service of care finder and filling the existing gap in service delivery.

Making interim packages available through a limited set of specialist providers (and for a defined cohort of consumers) would ensure that the program is appropriately targeted and limit its cost.

The additional funding provided under any new program could be consistent with the Short-Term Restorative Care (STRC) Program. However, unlike this program, it should not be time limited, given the variable wait times for services depending on individual circumstances and locations.

The interim package program could be under Support at Home, and receive referrals from care finder, My Aged Care, aged care assessors or other community services.

- Implement an interim care package to greater level of support for older people who are experiencing or at risk of homelessness, beyond what is currently provided by care finder and Support at Home. Selected providers would support at-risk older people to access appropriate housing and wrap-around services and address their aged care needs.

HAAG's previous submissions to various stages of Aged Care Act development and the Implementation of Aged Care Royal Commission Recommendations contain further detail on challenges older people experience including detailed case studies.

- [Implementation of Aged Care Royal Commission Recommendations](#),
- [Aged Care Bill Exposure Draft](#)
- [Submission to the proposed Aged Care Act](#)