

4 March 2022

The Hon. Justice Ross AO
Fair Work Commission
Level 4, 11 Exhibition Street
Melbourne VIC 3000

Dear Justice Ross

Re: In the Fair Work Commission matters of AM2020/99; AM2021/65 and AM2021/63

About UnitingCare Australia

UnitingCare Australia is the national body for the Uniting Church's community services network and is an agency of the Assembly of the Uniting Church in Australia. We give voice to the Uniting Church's commitment to social justice through advocacy and by strengthening community service provision. We are the largest network of social service providers in Australia, with 50,000 staff, 30,000 volunteers, supporting 1.4 million people every year across urban, rural and remote communities. We focus on articulating and meeting the needs of people at all stages of life and those that are most vulnerable. We would welcome the opportunity to host the Fair Work Commission at one of our aged care facilities.

UnitingCare Australia submits that the award rates under consideration in the matters of AM2020/99; AM2021/65 and AM2021/63 should be substantially increased to reflect the true value of the work being performed. This measure is of critical importance to ensure the long term sustainability of the aged care workforce which is currently at crisis point. Without a skilled, engaged and properly remunerated workforce, the aged care sector cannot continue to deliver the essential care and services older Australians deserve and the community expects.

The aged care sector performs a critical role across the broader health sector and contributes significantly to the Australian economy.

1. Funding

UnitingCare Australia submits that the federal government must fully fund the uplift in award wages estimated to be approximately \$4 billion annually, in order to support our critical aged care workforce.

In May 2021, the government responded to the recommendations of the Royal Commission into Aged Care Quality and Safety (**Royal Commission**), which it broadly accepted, recognising the need for increased accountability and transparency to uplift quality and safety across all parts of the sector. Aged care providers are deeply committed to ensuring the quality

and safety of care services being delivered. This cannot be achieved without adequate funding of the sector and appropriate remuneration for the aged care workforce.

In order to achieve this, the government must commit to fully funding the uplift in award wages to ensure a sustainable workforce. Without this commitment, the viability of the aged care sector is at significant risk.

2. The work being undertaken is undervalued

2.1 Aged care work is more complex than it used to be

Award wages need to be increased in-line with the increased clinical support required by aged care consumers. This includes increased rates of acuity, declining function, frailty, dementia, and related client needs. The demographic data mean this trend is set to continue.

Aged care work has also increased in complexity given the dementia epidemic and the need for more specialist psycho-geriatric care. This in turn has shifted the sector's understanding of what constitutes safe and high quality care. The changes to legislative and policy settings mean this trend will continue, particularly given the Royal Commission's recommendation to include a statutory, non-delegable duty of care. The additional expectations of workers in the sector are reflected in the Aged Care Quality Standards as contained in the *Quality of Care Principles 2014*, which require increasing levels of technical and social support competencies.

The cultural transformation towards consumer directed care has increased demands on aged care workers, with a sharp increase in consumer expectations relating to their own (the consumer's) cultural, identity, social and linguistic needs.

The management of more complex comorbidities brings with it the need to develop more subspecialist skill sets and collaborate as part of a multidisciplinary team to ensure the delivery of safe and high quality care. This will require an uplift across a range of skill sets including the administration of prescribed medications, infection prevention and control, and the growing complexity of information technology systems to coordinate care. All of these factors have required an increase in the competency and skill base of the aged care workforce in order to undertake this work.

The continued and ongoing regulatory and policy reform impacting aged care funding, and changes to clinical care impacting the management of serious incidents and restrictive practices, has compounded the demands on aged care workers. Coupled with this, is the ageing profile of consumers set to increase from 15 per cent of Australians aged 65 years or over, to 23 per cent by 2066.

2.2 Aged care workers are expected to assume more risk

The cumulative impact of these factors drastically increases risk burden for aged care workers.

All the above has evolved without appropriate reconsideration of the relevant awards by the Fair Work Commission or any other authorised body.

In a system where government can resource to the award rate as the benchmark for pay, it is critically essential that the award rate reflects a fair and competitive remuneration to achieve the objective of modern awards.

A handwritten signature in black ink, appearing to read "Claerwen Little".

Claerwen Little
National Director

