

SUPPORTING PEOPLE IN CARE RELATIONSHIPS IN VICTORIA

CARERS RECOGNITION ACT 2012

From 1 July 2012, Victoria has new legislation that recognises, promotes and values the role of carers. The *Carers Recognition Act 2012* formally acknowledges the important contribution that people in care relationships make to our community and the unique knowledge that carers hold of the person in their care.

This Act is supported by the *Victorian charter supporting people in care relationships*.

Care relationship principles

The Act includes principles that care support organisations must take into account, including:

- > principles relating to carers
- > principles relating to people being cared for
- > principles relating to care relationships.

Principles relating to carers

A carer should:

- > be respected and recognised
 - as an individual with their own needs
 - as a carer
 - as someone with special knowledge of the person in their care
- > be supported as an individual and as a carer, including during changes to the care relationship
- > be recognised for their efforts and dedication as a carer and for the social and economic contribution to the community arising from their role as a carer
- > if appropriate, have their views and cultural identity taken into account, together with the views, cultural identity, needs and best interests of the person for whom they care, in matters relating

to the care relationship, including when decisions are made that impact on the carer and the care relationship

- > have their social wellbeing and health recognised in matters relating to the care relationship
- > have considered in decision making the effect of being a carer on their participation in employment and education.

Principles relating to people being cared for

A person being cared for in a care relationship should:

- > be respected, recognised and supported as an individual and as a person in a care relationship, including during changes to the care relationship
- > have their views taken into account, together with their needs, cultural identity and best interests, in how they are cared for
- > have their changing needs considered and taken into account in how they are cared for.

Principles relating to care relationships

A person in a care relationship should:

- > have their care relationship respected and honoured
- > if appropriate, have their views considered in the assessment, planning, delivery, management and review of services affecting them and the care relationship.

Who is a 'carer'?

The Act defines a carer as anyone who provides care to another person in a 'care relationship', including carers aged under 18 years.

A care relationship exists where the person being cared for is an older person, or a person with a disability, a mental illness or an ongoing medical condition.

The Act also includes situations where someone is being cared for under the *Children, Youth and Families Act 2005*, in a foster, kinship or permanent care arrangement.

If someone is a spouse, partner, parent, child or other relative, and they do not meet any of the above criteria, they are not in a "care relationship" for the purposes of the Act.

The Act also does not apply to people employed to provide care services, or people who provide care as part of professional training or as a volunteer for an organisation.

What organisations are affected by the Act?

The Act applies to:

- > State government departments
- > councils within the meaning of the *Local Government Act 1989*, and
- > organisations funded by government that are responsible for developing or providing policies, programs or services that affect people in care relationships.

Further information

A copy of the Act can be obtained from www.legislation.vic.gov.au

Information about the Act and the *Victorian charter supporting people in care relationships* can be downloaded from www.dhs.vic.gov.au/carersact

Other information on the web includes:

- > Responsibilities and obligations of government and organisations – Information Sheet
- > Information for carers and those they care for – Information Sheet
- > Promotional materials including information in a range of community languages