

# SUPPORTING PEOPLE IN CARE RELATIONSHIPS IN VICTORIA

## CARERS RECOGNITION ACT 2012

### Information for carers and those they care for

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.

### How does the Carers Recognition Act change a carer's rights?

The Act sets out principles relating to people in care relationships and requires State government departments, councils, and relevant funded organisations to respect, recognize and support people in care relationships.

The Act aims to empower carers and the people they care for to take part in care planning where appropriate, and to fully access available services.

The ideas and input of people in care relationships are valuable to help shape the services they rely on to continue in their role. The Act makes this clear and encourages State government departments, councils and relevant funded organisations to listen to and respect the ideas of people in care relationships.

### If you are a carer or a person receiving care, you can expect to:

- > be recognised and respected as an individual, including your cultural identity
- > be recognised and respected as part of the care relationship
- > where appropriate, have a say in decisions about care planning and care
- > have your needs understood and met

- > receive support now and as your needs change
- > be able to use what the Act and charter say to support your relationship and use of services.

### Under the Carers Recognition Act, organisations funded by government to support you, have to:

- > be staffed by people who understand and comply with the Act
- > inform those in care relationships about what the Act means for them
- > treat people in care relationships respectfully
- > reflect the Act principles in their planning and how they support people
- > report publicly about how they are meeting their obligations.

## The care relationship principles in the Act are as follows:

### 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' under the Carers Recognition Act?

Under the Act a carer is someone 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 the person is being cared for under the *Children, Youth and Families Act 2005* in a foster, kinship or permanent care arrangement.

The Act 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.

### **Charter to support people in care relationships**

The *Victorian charter supporting people in care relationships* complements the Act. It respects everyone in a care relationship, both carers and those being cared for, and their individual differences and backgrounds. The charter includes foster, kinship and permanent carers, carers of people with a mental illness, carers of people with a disability, and carers of older people and people with dementia.

### **What services and support are available for people in care relationships?**

#### **Services and resources**

Commonwealth Respite and Carelink Centres  
1800 052 222

Information for carers and other members of the community about community, aged care, disability and other supports.

Carer card  
1800 901 958

A discounts and benefits card for Victoria's primary carers.

Companion Card  
1800 650 611

A card for eligible people with a significant, permanent disability, who need attendant care support to access and participate in most community activities and venues.

ARAFEMI Mental Health Carer Helpline  
1300 550 265

Provides confidential information, support and referral for families, carers, and friends of people with a mental illness, and advice for health professionals and other interested groups.

Respite Victoria (Disability Services respite)  
[www.respitevictoria.org.au](http://www.respitevictoria.org.au)

Information about available disability respite services in local communities through an online website.

Respite Seeker  
(mainly for carers of older people)  
[www.respiteseeker.com.au](http://www.respiteseeker.com.au)

Information about local respite.  
National Dementia Helpline  
1800 100 500

Information, advice and other services for people with dementia, their families, friends and carers.

Seniors Information Victoria  
1300 135 090

Information on services and support to help older people live at home.

Living at home, your choices.  
A guide for older Victorians  
[www.health.vic.gov.au/agedcare](http://www.health.vic.gov.au/agedcare)

Information to help older Victorians live well and safely at home.

Residential care, your choices.  
A guide for older Victorians  
[www.health.vic.gov.au/agedcare](http://www.health.vic.gov.au/agedcare)

Information to help older Victorians make decisions about residential care.

Post Placement Support Service  
(03) 9020 1833

Provides education, training and support for professionals, agencies and parents, carers and children connected in kinship care, permanent care and adoption.

Mirabel Foundation  
(03) 9527 9422

Assists children orphaned or abandoned due to parental illicit drug use and in the care of extended family (kinship care).

Grandparents Victoria  
(03) 9372 2422

A community organisation of grandparents working together to shape a positive future for all grandchildren and to support grandparents in their role.

## Other organisations that can support you

Carers Victoria  
1800 242 636

Carer Advisory Line providing information and support for unpaid carers through Carers Victoria.

Alzheimer's Australia Vic  
(03) 9815 7800

Support, information, education and counselling for people with early dementia, their families, friends and carers.

Ethnic Communities Council of Victoria  
(03) 9349 4122

Multicultural Aged Care Services Directory 2009 about community and aged care services provided by ethnic and multi-cultural organisations.

CREATE Foundation  
(for children and young people)  
1800 655 105

Represents children and young people in out-of-home care.

Foster Care Association of Victoria (FCAV)  
(03) 9489 9770

Represents Victorian foster carers and foster carers converting to permanent carers.

Kinship Carers Victoria (KCV)  
(03) 9372 2422

Represents Victorian kinship carers.

Victorian Mental Health Carers Network  
(03) 8803 5555

Represents Victorian carers of people with mental illness.

## How can people in care relationships raise a concern about services?

The best way to raise a concern about services is to talk to the relevant people and services involved, such as the service management, using the Act and charter to guide discussion. Some organisations have complaints procedures.

Some peak bodies can also help raise concerns.

Various Commissioners can receive complaints, such as the Health Services Commissioner about a health service, and the Disability Services Commissioner about disability services.

For complaints about rights not being met, people can also contact the Office of the Public Advocate.

## Relevant numbers include:

Office of the Public Advocate  
(03) 9603 9500  
or  
1300 309 337

Health Services Commissioner  
(03) 8601 5200  
Country  
1800 136 066

Chief Psychiatrist Enquiry Line  
(Mental Health)  
(03) 9096 7571  
or  
1300 767 299

Disability Services Commissioner  
1800 677 342  
or  
1300 728 178

Office of the Child Safety Commissioner  
(03) 8601 5884  
or  
1300 782 978

Residential Care Rights  
1800 700 600

## Where can I get more information about the Carers Recognition Act and charter?

Information about the Act and the *Victorian charter supporting people in care relationships* is available on the web at [www.dhs.vic.gov.au/carersact](http://www.dhs.vic.gov.au/carersact)