

# What the *Carers Recognition Act 2012* says

Supporting people in care relationships

## Victoria has legislation that recognises, promotes and values the role of carers.

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

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

## Care relationship principles

The Act includes principles that 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
- 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. This includes 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
- 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, 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 organisations that are responsible for developing or providing policies, programs or services that affect people in care relationships including:

- state government departments
- local government authorities (councils within the meaning of the *Local Government Act 1989*)
- organisations funded by government.

These organisations include funded care organisations providing home-based care services for children and young people in foster, kinship and permanent care arrangements.

The Act does not apply to family day care services, children's services, education and care services, preschool programs and schools.

## Further information

Visit the Victorian Legislation and Parliamentary Documents website for a copy of the Carers Recognition Act <[www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)>.

Visit the Department of Health and Human Services website for information about the Act and the charter <[www.dhs.vic.gov.au/carersact](http://www.dhs.vic.gov.au/carersact)>.

Other information on this website includes:

- *Information for people in care relationships* information sheet
- *Support and services for people in care relationships* information sheet
- *Responsibilities and obligations of government and organisations* information sheet
- *Supporting people in care relationships in Victoria* poster
- *Supporting people in care relationships in Victoria* postcard in six languages.

To receive this publication in an accessible format email [agedcare@health.vic.gov.au](mailto:agedcare@health.vic.gov.au)

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