



Submission to the Inquiry into the recognition of unpaid carers

August 2023



251 Morphett Street, Adelaide, SA 5000

08 8226 3355 | commissionercyp@sa.gov.au

Committee Secretary

House of Representatives Standing Committee on Social Policy and Legal Affairs

Email: spla.reps@aph.gov.au

11 August 2023

Inquiry into the recognition of unpaid carers

I welcome the Committee's inquiry into the recognition of unpaid carers. The inquiry is an opportunity to strengthen the *Carer Recognition Act 2010* (Cth) (the Act) to improve outcomes for young carers across Australia.

As South Australia's Commissioner for Children and Young People, my role is to promote and advocate for the rights, interests and wellbeing of all children and young people in South Australia.

I am writing to provide the Committee with my report [**Take Care: What can be done at school to support children and young people with caring responsibilities at home.**](#) The report documents what young carers told me about their experiences of school, and what needs to change to better support them. It also presents teachers' perspectives on how well they can identify and support young carers.

Caring responsibilities can affect children and young people's health and wellbeing, their friendships and their engagement with school and the community. Young carers too often remain unidentified and unsupported. They may not realise they are a carer or they may be reluctant to tell anyone about their role, often due to stigma or a fear of being bullied or removed from their families.

Legislation should reflect a whole of government approach to upholding the rights of young carers, with reference to the United Nations Convention on the Rights of the Child. This requires recognition of the role of schools in identifying and supporting young carers. Without support, young carers can be vulnerable to missing out on many activities and opportunities, with implications for long-term education, employment and wellbeing outcomes.ⁱ

The *Take Care* report makes recommendations to improve school-based supports for young carers. Recommendations include identifying a 'young carer champion' in every school site to be a single point of contact for young carers, and providing opportunities for young carers and carer support agencies to co-design resources for teachers and school leaders. The Young Carers in Schools initiative in England is

an example of a model that builds the capacity of schools to support young carers and awards good practice.ⁱⁱ

The Statement for Australia's Carers and the Carers Charter in South Australia's Carer Recognition Act both recognise the human rights of children and young people who are carers. However, the legislation could be strengthened to ensure all public service agencies – rather than only 'care agencies' – take reasonable steps to realise these rights. The Act should provide the foundations for a coordinated systemic response that identifies young carers and ensures access to information and specialised support.

The *Children and Families Act 2014* and the *Care Act 2014* in the UK are examples of legislation that strengthen the rights of young carers.ⁱⁱⁱ The UK laws seek to prevent children from taking on excessive care and ensure the needs of young carers are assessed and supported, including during the transition to adulthood.^{iv}

The *Care Act 2014* (UK) outlines the responsibility of local authorities to prevent or delay people developing needs for care, including through the provision of services, facilities or resources.^v Australia's legislation should similarly address the social determinants of health, including employment, housing, and transport. In addition to schools, other key settings requiring recognition include healthcare settings, sporting clubs, TAFEs and universities.^{vi}

Young people recognise the need for better support for families of people living with long-term health conditions. South Australia's 2022 Youth Parliament passed the Family and Funding Support Scheme Bill 2022, which seeks to address 'the current gaps in support', including by mitigating financial pressures, reducing the impact of stressors, and improving access to support networks and information.^{vii}

Thank you for the opportunity to provide a submission. If you would like to discuss anything further, please do not hesitate to contact my office.

Yours sincerely



Helen Connolly

Commissioner for Children and Young People South Australia

ⁱ Parliament of Australia. *The Senate Select Committee on Work and Care: Final Report*. (March 2023). <https://apo.org.au/sites/default/files/resource-files/2022-10/apo-nid320049.pdf>

ⁱⁱ Carers Trust, and The Children's Society. *Young Carers in Schools*. <https://youngcarersinschools.com/>.

ⁱⁱⁱ Children and Families Act 2014 (UK), Part 5, <https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>. Care Act 2014 (UK), s 63, s64, <https://www.legislation.gov.uk/ukpga/2014/23/section/2/enacted>.

^{iv} Department of Health and Care and The Children's Society. *Shaping our future: Improving Assessment and Support for Young Carers' Transition into Adulthood*. (2020). https://www.childrensociety.org.uk/sites/default/files/2020-10/young-carer_transition_report.pdf.

^v Care Act 2014 (UK), s 2.

^{vi} Istead, Katherine. *Barriers and solutions to implementing the new duties in the Care Act 2014 and the Children and Families Act 2014*. (The Children's Society, 2016). <https://www.childrensociety.org.uk/sites/default/files/2020-10/barriers-and-solutions.pdf>.

^{vii} Youth Parliament, South Australia. *Official Bills and Acts of the 27th Session of the Youth Parliament of South Australia*. (2022). <https://s3.ap-southeast-2.amazonaws.com/ymca-public-assets/documents/YP2022-Bills-and-Acts.pdf>.