



Policy Logistics	
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Issued by:	Disability SA
Delegated authority:	Executive Director Disability SA Executive Director Disability and Domiciliary Care Services
Policy custodian:	Manager Contracting and Sector Liaison Disability SA
Due for review:	July 2019
Confidentiality:	Public
DCSI strategic objective	Provide the best services
SA Strategic Plan:	Target 32

## Family Members as Unpaid Carers Policy

### 1 Intent

This policy clarifies the Government's position on the role of family members undertaking the care for relatives with disability as opposed to paid care workers, in response to applications received requesting payment to family members for the provision of care. The policy aims to protect the interests and rights of people with disability.

This policy precludes the employment of family members as attendants, except in exceptional circumstances.

### 2 Context

Disability SA's position is that no family members will be paid for providing care to relatives with a disability outside the provisions of the Australian Government, Department of Human Services, Carer Benefit/Payment Schemes. Disability SA recognises the important role families play in the informal support networks surrounding people with disability and seeks to encourage and, where necessary, support families to continue this role.

The principles and the objectives of the *Disability Services Act (1993)* support the position that people with disability are to be protected in vulnerable situations. Having a family member as a support worker could heighten the vulnerability of some people with disability.

### 3 Risk

Replacement of unpaid supports with paid supports has the potential to undermine informal support networks. Department for Communities and Social Inclusion (DCSI) funding should enhance and supplement informal networks rather than replace them. Therefore, payment to family members will only be considered when exceptional circumstances can be demonstrated.

### 4 Reference Documents

#### 4.1 Directive Documents

- [Disability Services Act \(1993\)](#)
- [Australian Government, Department of Human Services, Carer Benefit/Payment Schemes](#)

## 5 Scope

This policy relates to all disability specialist services provided or funded by DCSI, their consumers, family members (carers) and legal guardians.

## 6 Definitions and Terminology

For the purpose of this policy, the definition of **family member** includes the following relationships between consumer and carer:

Wife, husband, father, mother, adoptive father, adoptive mother, grandfather, grandmother, stepfather, stepmother, son, daughter, grandson, granddaughter, stepson, stepdaughter, brother, sister, half-brother, half-sister, stepbrother, stepsister, adoptive brother, adoptive sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, aunt, uncle, niece, nephew and first cousins. This also includes any legally recognised variation to these relationships, such as de facto, adoptive, ex-nuptial relationships, same sex relationships or changes resulting from separation/divorce.

Legal guardians will also be considered under the same definition of family member as cited above.

## 7 Policy Detail

Family members will not be paid for providing care to relatives with disability outside the provisions of the Australian Government, Department of Human Services, Carer Benefit/Payment Schemes. DCSI funding is not intended to replace or supplement existing Australian Government income supports. The provision of income supports such as Carer Payment and Carer Allowance are the responsibility of the Australian Government.

Payment to family members will only be considered when exceptional circumstances can be demonstrated. Exceptional circumstances may include, but will not necessarily be restricted to the following:

- an individual has cultural requirements that cannot be met through other community support systems;
- an individual lives in an isolated or remote locality and there are no alternative support systems available; and
- all other care options have been explored and there are no suitable alternatives available.

Protection of the individual's interests and rights is paramount. Paid employment of family members has the potential to create conflict of interest. Preclusion of payment to family members assists in ensuring the rights and interests of the individual are safeguarded and informal supports are not compromised.

Family members seeking payment for the provision of care should be referred to Centrelink to test their eligibility for a Carer's Payment/Allowance in the first instance.

Where exceptional circumstances apply, the relevant DCSI Executive Director or the Chief Executive of the relevant service provider agency has responsibility for:

- Determining that the circumstances warrant consideration for a family member to be paid
- Developing a care plan for a set timeframe clarifying and authorising the level of care to be provided by the family member and the payment to be made
- Reviewing and monitoring the circumstances of the person with disability at regular intervals exploring alternatives to re-establish the role of the family member as an unpaid carer in the long term
- Ensuring family members (carers) undertake relevant Disability Services Employment Screening.

## 8 Aboriginal Impact Statement Declaration

The needs and interests of Aboriginal people have been considered in the development of this policy. It has been assessed that there is no impact specific to Aboriginal people or an impact that could disproportionately affect Aboriginal people.

## 9 Policy Approval

<b>Content Author:</b>	<b>Policy Custodian:</b>	<b>Delegated Authority:</b>
Date: July 2016	Date: July 2016	Date: July 2016
Position: Team Leader Policy and Consumer Engagement	Position: Manager Contracting and Sector Liaison	Position: Executive Director Disability SA Position: Executive Director Disability and Domiciliary Care Services