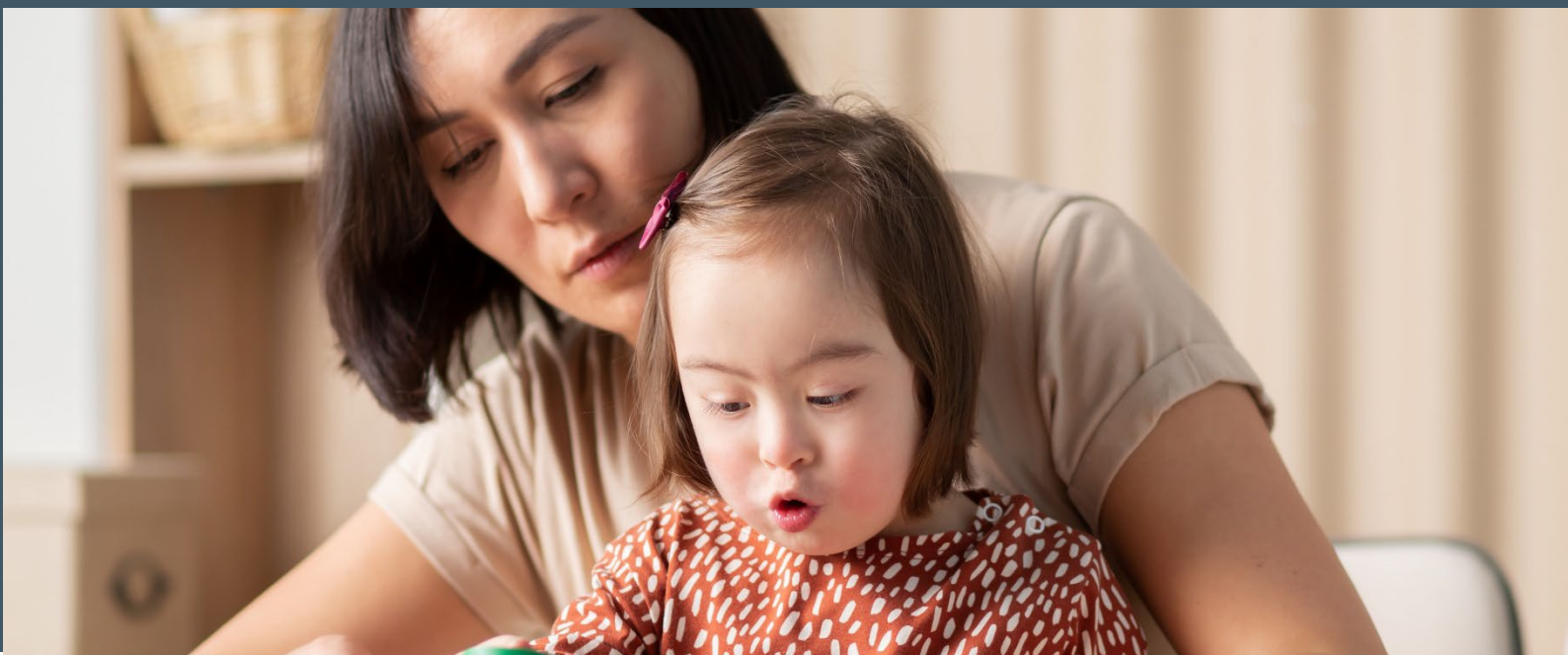


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Guidelines to support compliance with the *Carers Recognition Act 2005 (SA)*

June 2026



Acknowledgement of Country

DHS acknowledges and respects Aboriginal Peoples as the state's first people and recognises Aboriginal Peoples as traditional owners and occupants of lands and waters in South Australia.

We acknowledge that the spiritual, social, cultural and economic practices of Aboriginal Peoples come from their traditional lands and waters, and that the cultural and heritage beliefs, languages and laws are still of importance today.

Contents

| | |
|--|----|
| About the guidelines | 4 |
| Introduction | 5 |
| Carers recognition legislation | 8 |
| Terminology | 10 |
| South Australian Carers Charter | 13 |
| Obligations for applicable organisations | 15 |
| Annual reporting requirements | 21 |
| Appendices..... | 23 |
| A. Summary of changes made by the Act | 23 |
| B. List of South Australian public sector agencies | 26 |

About the guidelines

These guidelines have been developed to help public sector agencies and contracted organisations understand and meet their obligations under the *Carers Recognition Act 2005 (SA)*. While previously only seven public sector agencies were required to comply with this legislation, amendments were passed last year which mean that *all* South Australian public sector agencies have obligations under this legislation from 1 July 2026.

These guidelines provide an overview of the amended *Carers Recognition Act 2005 (SA)*, including key definitions, obligations and reporting requirements. They also provide practical guidance on, and examples of, how to comply.

Please note that this document provides general guidance only. Public sector agencies and contracted organisations remain responsible for determining how best to comply with the *Carers Recognition Act 2005 (SA)* given their size and function.

Key information

- From 1 July 2026, all South Australian public sector agencies – and organisations contracted by them to deliver services for carers – have obligations under the *Carers Recognition Act 2005 (SA)* (the Act).
- The Act defines a carer as a person in a care relationship in which they provide personal care, support or assistance to a person with a disability or medical conditions, or who is experiencing mental ill health, is frail due to age or is experiencing alcohol or other drug dependence.
- Under the Act, South Australian public sector agencies and organisations contracted by them to deliver services for carers must:
 - ensure staff are aware of the Carers Charter and deliver services for carers and the people they support in way that reflects its principles, and
 - consider the Carers Charter when developing internal human resources policies, and
 - consult with carers or their representative bodies when developing or evaluating services for carers and the people they support.
- From 1 July 2026, all public sector agencies must report on their compliance with the above obligations in their annual reports.

Introduction

Most South Australians are or will become a carer, know a carer or will require support from a carer at some point in their lives. There are currently around 245,000 carers in South Australia,¹ however this is likely to be an underestimate. This is because many carers do not realise they are carers or identify themselves as carers to others. There are a range of possible reasons for this, including lack of awareness, cultural factors and fear of stigma.

Inclusive communities, and workplaces that recognise and support carers, help enable carers to thrive in all aspects of their lives. What this looks like depends on the carer and their circumstances, but could include financial security, being able to balance their caring responsibilities with schooling or employment and staying connected to the community.

Workplaces can play a significant role in supporting the wellbeing of employees who are carers. Carer-inclusive workplaces can enable carers to remain in the workforce, allowing them to continue earning an income and to use and develop their professional skills. Carer-inclusive workplaces can also support carers' mental health by providing carers with a break from their caring responsibilities and reducing isolation.

There is a strong business case for supporting employees who are carers. Carer-inclusive workplaces are associated with increased employee retention, reduced absenteeism and better morale. It can also reduce recruitment costs and help organisations attract high quality candidates with caring responsibilities.

The South Australian Government has the potential to significantly impact the lives of carers due to its role as an employer, funder and service provider. The public sector is the largest employer in the state, employing more than 100,000 South Australians. Approximately 30% of these employees report having caring responsibilities.² This means that public sector agencies being carer-inclusive workplaces will benefit many carers.

The South Australian Government funds several services for carers, including Young Carer Support Services and Carer Breaks. It is therefore vital that organisations designing, delivering and evaluating these services understand and are responsive to carers' needs.

¹ <https://www.carerssa.com.au/whats-happening/time-to-care-make-carers-count/>

² https://www.publicsector.sa.gov.au/_data/assets/pdf_file/0004/966433/OCPSE-DEI-Strategy-2023-2026.pdf

Many public sector agency employees, such as those working at public schools, hospitals and Service SA centres, have direct contact with South Australians who may be carers. They therefore have the potential to help identify carers and connect them with support.

With the number of carers in South Australia expected to grow in the coming years due to Australia's ageing population, it is now more important than ever to ensure that carers are appropriately recognised and supported.

About carers

Unpaid carers play a valuable role in our community by providing support to people with disability, medical conditions, mental ill health, alcohol or other drug dependence and/or those who are frail due to age.

Anyone can become a carer at any time in their life. Carers come from all walks of life, cultures and age groups. They can include spouses, partners, parents, grandparents and other relatives, children, siblings, friends, neighbours or colleagues of a person who requires care.

The assistance carers provide can take a variety of forms, such as personal care, lifting, mobility, administering medication and performing other health related tasks, making medical appointments, banking, transport, shopping or housework. They may also provide emotional and social support to enable the person to engage with their community and/or act as interpreters for the person they care for.

Many carers report positive experiences of caring and find it rewarding, with carers often reporting that it gives them a sense of purpose.³ Carers also acquire broad and transferrable skills which are beneficial in the workplace. These include time management, communication skills, emotional intelligence, resilience and problem solving. Being a carer can also provide an opportunity to gain skills, knowledge and/or experience relevant to their employment. For example, an employee who is also a carer of a child with Autism Spectrum Disorder may be highly skilled at providing inclusive customer service which meets the needs of customers with neurodivergence.

Being a carer can also have negative impacts on a person's health and wellbeing, financial security, education, employment and other life opportunities. Carers have

³ Carers SA, *Caring for others & yourself: Carer Wellbeing Survey*, https://www.carersaustralia.com.au/wp-content/uploads/2025/10/CWS25_Report_081025_compressed.pdf

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poorer wellbeing compared to the general population, with 31% of carers reporting high psychological distress.⁴

Many carers themselves have chronic health conditions, mental ill health and/or disability and require support. Carers have lower levels of workforce participation (due to their caring responsibilities) compared to non-carers on average,⁵ resulting in poor financial security including access to superannuation.

Young carers (from 5 to 25 years old) experience challenges that can have lifelong implications. Young carers have poorer mental and physical health on average compared to their peers.⁶ They often experience isolation and lack peer relationships and networks due to their caring role. They are also less likely to complete or perform well in high school compared to young people without caring responsibilities.⁷

⁴ M. Mylek & J. Schirmer, *Caring for others and yourself: The 2025 Carer Wellbeing Survey*, 2024, p.16.

⁵ Australian Bureau of Statistics, *Disability, Ageing and Carers, Australia: Summary of Findings*, 2024, <https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release#carers>

⁶ R. Lacey, B. Xue & An. McMunn, “The mental and physical health of young carers: a systematic review,” *Lancet Public Health*, vol. 7, no. 9 (2022): 787-796.

⁷ M. Hamilton & G. Redmond, “Are Young Carers Less engaged in School than Non-Carers? Evidence from a Representative Australian Study,” *Child Indicators Research*, vol. 13 (2020): 33-49.

Carers recognition legislation

All states and territories in Australia have carer recognition legislation, in addition to a national *Carer Recognition Act 2010* (Cth). In South Australia, the *Carers Recognition Act 2005* (SA) (the Act) provides formal recognition of carers and establishes the South Australian Carers Charter (Carers Charter).⁸

The Department of Human Services (DHS) administers the Act. The Minister for Human Services is responsible for overseeing the review and operational effectiveness of the Act.

Review of the Act and subsequent reforms

In 2023, Richard Dennis AM PSM reviewed the Act to assess if it was achieving its purpose. The review report recommended several changes to improve the effectiveness of the Act.⁹

The review's findings informed the development of the *Carers Recognition (Miscellaneous) Amendment Act 2025* (the Amendment Act),¹⁰ which was passed by the South Australian Parliament in late 2025. The Amendment Act was also informed by the Commonwealth Inquiry into the Recognition of Unpaid Carers, the 2024 National Carers Survey and the National Carer Strategy 2024-2034.

The Amendment Act will introduce several important changes from 1 July 2026. These include:

- broadening the definition of a 'carer' and defining carers in relation to their care relationship
- strengthening the Carers Charter and better recognising the diversity of both carers and the nature of their caring responsibilities
- extending obligations under the Act from seven to all public sector agencies.

⁸ *Carers Recognition Act 2005* (SA).

<https://www.legislation.sa.gov.au/lz?path=/c/a/carers%20recognition%20act%202005>

⁹ R Dennis. *The Carers Recognition Act 2005 – South Australia Review of Act – 2023/2024 Report – proposal for legislative change* (2024).

https://dhs.sa.gov.au/__data/assets/pdf_file/0005/169835/Carers-Recognition-Act-Final-Report.pdf

¹⁰ *Carers Recognition (Miscellaneous) Amendment Act 2025*.

[https://www.legislation.sa.gov.au/lz?path=/v/a/2025/carers%20recognition%20\(miscellaneous\)%20amendment%20act%202025_73](https://www.legislation.sa.gov.au/lz?path=/v/a/2025/carers%20recognition%20(miscellaneous)%20amendment%20act%202025_73)

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A more detailed explanation of the Amendment Act can be found in Appendix A.

NOTE: The definitions and references in these guidelines reflect the amended version of the Act in effect from 1 July 2026 unless otherwise specified.

Terminology

Key terms used in the Act are explained below.

Carer

From 1 July 2026, a carer is defined as a person in a care relationship in which they provide personal care, support or assistance to a person who:

- has a disability
- is experiencing mental ill health
- has a medical condition (including a terminal or chronic illness, or dementia)
- is frail due to age
- is experiencing alcohol or other drug dependence.^{11,12}

Disability refers to ‘long-term physical, psycho-social, intellectual, cognitive, neurological or sensory impairment, or a combination of any of these impairments, which in interaction with various barriers may hinder the person's full and effective participation in society on an equal basis with others.’¹³

Exclusions from the definition of a carer

A person is not considered to be a carer under the Act if they provide personal care, support or assistance to another person:

- under a contract of service or contract for the provision of services; or
- as a volunteer for a charitable, welfare or community organisation (other than an approved carer within the meaning of the *Children and Young People (Safety) Act 2017*); or
- as part of an education or training course.

¹¹ *Carers Recognition Act 2005 (SA)*, section 5(1).

¹² This is the definition of a carer under the *Carers Recognition Act 2005 (SA)*. Different definitions of a carer continue to apply in other contexts, such as when determining eligibility for the Commonwealth’s Carer Payment and Carer Allowance. It also does not affect employees’ carer’s leave entitlements under the National Employment Standards.

¹³ *Carers Recognition Act 2005 (SA)*, section 4; *Disability Inclusion Act 2018 (SA)*, section 3.

A person in the above circumstances would be providing care as part of their employment or as a volunteer in a coordinated service provision arrangement, rather than as part of informal care arrangements.

Relevant services

‘Relevant services’ refer to policies, programs or services specifically directed to carers and the people they care for.¹⁴

Applicable organisation

An ‘applicable organisation’ is:

- a public sector agency, or
- a person or body providing relevant services under a contract with a public sector agency (other than a contract of employment).

This means applicable organisations include all public sector agencies, and organisations that have been contracted by a South Australian public sector agency to deliver policies, programs or services specifically intended to support carers and the people they care for.

The definition of an applicable organisation excludes a Minister or a chief executive of an administrative unit. This is because obligations under the Act are intended to apply to organisations rather than individuals.

Public sector agency

The *Public Sector Act 2009* (SA) defines a public sector agency as:

- (a) a Minister; or
 - (b) a chief executive of an administrative unit; or
 - (c) an administrative unit; or
 - (d) an employing authority; or
 - (e) any other agency or instrumentality of the Crown; or
 - (f) a body corporate—
 - (i) comprised of persons, or with a governing body comprised of persons, a majority of whom are appointed by the Governor, a Minister or an agency or instrumentality of the Crown; or
 - (ii) subject to control or direction by a Minister; or
 - (g) a person or body declared under subsection (3) to be a public sector agency;
- or

¹⁴ *Carers Recognition Act 2005* (SA), section 4.

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- (h) a subsidiary of a Minister or a person or body referred to in a preceding paragraph, but does not include—
- (i) a person or body declared under an Act not to be part of the Crown or not to be an agency or instrumentality of the Crown; or
- (j) a person or body declared under subsection (3) not to be a public sector agency.

A list of South Australian public sector agencies can be found in Appendix B.

South Australian Carers Charter

The Act includes the South Australian Carers Charter (the Carers Charter). The Carers Charter states 12 principles that must guide applicable organisations when developing and implementing carer specific services and human resource policies.¹⁵

South Australian Carers Charter

1. A carer should be respected and recognised as:
 - (a) an individual with their own needs; and
 - (b) a carer; and
 - (c) someone with knowledge of the person receiving care; and
 - (d) a partner in care with other service providers.
2. A carer should be recognised and valued for:
 - (a) their vital role in South Australian society, delivering significant social benefits to individuals, their families and the broader community; and
 - (b) their significant economic contribution which supports the effective operation of the health, aged care and child protection systems; and
 - (c) their significant personal sacrifices, forgoing careers, social lives, education and financial security to care for others, which can impact their mental and physical wellbeing; and
 - (d) the skills they gain through caring which are valuable and transferable to the workforce.
3. A carer should be supported during changes to the care relationship.
4. A carer should have their social, spiritual, cultural and economic wellbeing and health recognised in matters relating to the care relationship.
5. A carer should be provided with support that is timely, responsive, appropriate, respectful, culturally safe and accessible.
6. Aboriginal or Torres Strait Islander carers should be supported in ways that recognise and respect their right to self-determination and their unique cultural identity and kinship relationships.
7. The gendered impact of caring roles should be recognised and considered in relevant decision making, including impacts that lower rates for self-identification of carers, as well as carers' participation in employment and education.

¹⁵ *Carers Recognition Act 2025 (SA)*, sch 1.

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8. The specific needs of young carers (aged 25 and under) should be recognised, supported and acted on so that they have the support and opportunities needed to reach their full potential.
9. The unique and complex roles of informal carers, which may include grandparents, siblings, family friends, Aboriginal collective kinship care and other family and kinship relationships, should be recognised and supported irrespective of any ambiguities around guardianship and legal status.
10. Carers who continue to provide practical, emotional, personal support for the person they care for, even when they have transitioned into supported residential services, should be recognised for the significant and ongoing advocacy role for the person they care for.
11. Carers reflect the diversity of our communities, and all carers should be provided with appropriate and safe support services that consider their specific and unique needs, including—
 - (a) carers from LGBTIQ+ communities; and
 - (b) culturally and linguistically diverse carers; and
 - (c) older carers (aged 65 and above); and
 - (d) defence family and veterans' carers; and
 - (e) carers with disability; and
 - (f) carers who live in regional and remote locations.
12. The intersectionality of carers must be acknowledged to address the additional barriers, challenges and discrimination carers with overlapping identities face, including—
 - (a) ethnicity; and
 - (b) culture; and
 - (c) religion; and
 - (d) age; and
 - (e) sexual orientation; and
 - (f) gender identity; and
 - (g) disability; and
 - (h) neurodivergence; and
 - (i) socioeconomic status; and
 - (j) geographical location.

Obligations for applicable organisations

All applicable organisations have obligations under the Act. Together, these obligations aim to recognise and support carers by:

- improving the public sector’s awareness of the Carers Charter, and
- creating more carer-inclusive workplaces, and
- ensuring policies, programs and services are suitable to meet the needs of carers and the people they support, and
- requiring consultation with carers and the bodies that represent them.

Each of these obligations, including how they could be put into practice, are discussed in further detail below.

Obligation 1: Awareness of the Carers Charter and reflecting its principles

What the Act says

An applicable organisation must take all practicable measures to ensure that -

- (a) its employees and agents have an awareness and understanding of the Carers Charter; and
- (b) the organisation, and its employees and agents, take action to reflect the principles of the Carers Charter in the provision of relevant services.¹⁶

What this means in practice

Applicable organisations must educate their employees and agents (i.e. people who act for or on behalf of a business or organisation) about the Carers Charter. This could be achieved through a range of possible activities, such as:

- publishing and promoting information about the Carers Charter on an agency’s website and/or intranet
- incorporating information about the Carers Charter in staff onboarding materials and processes (such as staff induction checklists, reading materials), which may help to facilitate early identification of employees who are carers
- displaying posters of the Carers Charter in the workplace and public facing areas
- sending an email about the Carers Charter to all staff

¹⁶ Section 6(1).

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- staff completing online training on the Carers Charter
- promoting and increasing awareness of the Carers Charter to carers and the broader community
- incorporating information about the Carers Charter as routine practice in supporting carers as part of service delivery
- hosting an event and participating in National Carers Week.

The above are examples only and are not a mandatory or exhaustive list.

DHS has developed a factsheet that agencies can use to help build awareness of the Carers Charter. The factsheet is available to download from the DHS website at <https://dhs.sa.gov.au/how-we-help/carers>.

Applicable organisations also need to ensure policies, programs and services specifically directed to carers and the people they care for reflect the principles of the Carers Charter. How this is achieved is likely to depend on a range of factors, such as the nature of the policy, program or service and the cohort of carers it relates to. Possible examples could include reviewing existing services and/or designing future services for carers to ensure:

- they are flexible enough to account for changes to the care relationship (for example, can a carer increase or decrease the level of support as needed?)
- cultural safety (for example, is a service culturally safe for Aboriginal carers?)
- the service is suitable to meet the specific needs of carers from different communities (for example, is the service suitable to meet the needs of young carers, culturally and linguistically diverse carers, older carers?)
- service development and review are informed by carers' lived experience and feedback as part of quality improvement processes.

The above are examples only and are not a mandatory or exhaustive list.

Obligation 2: Carer-inclusive human resource policies

What the Act says

An applicable organisation's internal human resource policies, so far as they may significantly affect an employee's caring role, must be developed having due regard to the Carers Charter.¹⁷

What this means in practice

Applicable organisations must consider the Carers Charter when developing their human resource policies. This includes considering how these policies would impact an employee who is a carer and how they could be tailored to better meet carers' needs.

Examples could include an organisation:

- updating leave guidelines to include special leave with pay for carers, so employees can use this leave for caring duties during business hours, rather than having to use their sick or annual leave or take unpaid leave.
- amending flexible working policy to include additional options, such as compressed hours or job sharing, which could make it easier for employees to balance employment with caring responsibilities.
- enabling carers to leave work at short notice due to unforeseen caring obligations
- updating leave and flexible working policies to recognise that a caring relationship may extend beyond immediate family members
- amending flexible working policies to enable a carer to take leave during changes to the care relationship.

The above are examples only and not a mandatory or exhaustive list.

How applicable organisations implement this obligation will be determined by each organisation and is likely to be affected by factors such as operational requirements and enterprise agreements.

¹⁷ Section 6(2).

Useful resources and initiatives

Carer-Inclusive Workplace Initiative¹⁸

An Australian Government initiative that aims to create supportive workplaces for unpaid carers. The website includes a range of resources, including a self-assessment tool, e-learning and resources for HR professionals.

Carers + Employers¹⁹

A program through which organisations can become recognised as an Accredited Carer Employer. There are three possible levels of accreditation, enabling organisations to progressively improve their carer-inclusiveness over time. Carers SA is the registered provider of Carers + Employers in South Australia and can support organisations to achieve accreditation and assist in demonstrating compliance with the guidelines.

10 tips for a carer-friendly workplace²⁰

The site provides a Carers + Employers factsheet about how organisations can support carers in the workplace.

Obligation 3: Consultation with carers or their representative bodies

What the Act says

An applicable organisation must consult carers, or bodies that represent carers, when developing or evaluating relevant services.²¹

What this means in practice

The Act makes it mandatory for applicable organisations to seek the views of carers or organisations that represent them when designing or reviewing relevant services.

When consultation is required

This consultation requirement only applies in relation to ‘relevant services’, which the Act defines as policies, programs or services specifically directed to carers and

¹⁸ <https://carerinclusive.com.au/>

¹⁹ <https://carersandemployers.org.au/>

²⁰ <https://carersandemployers.org.au/uploads/main/Carers-Employers-Top-10-Tips.pdf>

²¹ Section 6(3).

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the people they care for. This means consultation with carers is mandatory for those policies, programs or services. For example, if SA Health was developing a policy on how public hospitals will engage with the carers of people receiving medical treatment, they would need to seek carers' views. Similarly, DHS would need to seek the views of carers and/or a body representing them when evaluating its carer support services.

The Act does not require consultation with carers or their representative bodies when developing or evaluating policies, programs or services that only apply to carers incidentally (i.e. in their capacity as members of the general public). For example, the Department for Energy and Mining would not need to undertake targeted consultation with carers or their representative bodies on proposed changes to the *Mining Act 1971* (SA). This is because any proposed changes to this legislation would not be specifically aimed at carers or the people they care for.

Possible approaches to consultation

Where consultation is required, applicable organisations can choose how they will meet this requirement. When determining the consultation approach, examples of factors to consider include:

- the amount of time available for consultation
- whether the organisation has a body or committee which consists of, or includes, employees or service users who are carers (such as an Employee Led Network, advisory councils)
- the organisation's size and resources
- the relevant cohort of carers (such as young carers, carers of people with dementia, employees who are carers)
- the appropriate number of carers that would be representative and avoid tokenism
- engaging with diverse carer cohorts, including culturally and linguistically diverse carers, LGBTIQ+ carers, veteran carers, and First Nations carers.

Examples of possible consultation methods include:

- establishing and consulting an employee carer advisory committee and/or a carer advisory committee representative of service users
- seeking Carers SA's feedback on a draft policy document
- including people with lived experience of being a carer on a reference group for an evaluation of a carer support service.

The above are examples only and are not a mandatory or exhaustive list.

Examples of bodies that represent carers in South Australia

Carers SA

Carers SA is the peak body for all carers in South Australia and is also the primary Carer Gateway provider in SA and a provider of other state government funded support services for carers across the state. Carers SA is part of a national network of Carers Associations and a member of Carers Australia. Carers SA convenes the Carer Support Network of SA.

- Website: www.carerssa.com.au
- Phone 8291 5600

Grandcarers SA

Grandcarers SA is a non-profit organisation which supports grandcarers in South Australia. 'Grandcarers' refer to grandparents and kinship carers who provide primary care for children in an informal capacity.

- Website: www.grandcarers.au
- Phone 8212 1937

Annual reporting requirements

Under the amended Act, from 1 July 2026 all public sector agencies must report on their compliance with each obligation under section 6 in their annual reports.²²

In practice, this reporting would need to address the questions listed in the checklist in Table 1.

Table 1. Annual reporting checklist

| Questions that must be addressed | Corresponding section of the Act |
|--|----------------------------------|
| Did your agency comply with its obligation to take all practicable measures to ensure its employees and agents have an awareness and understanding of the Carers Charter in the reporting period? If so, how? | Section 6(1)(a) |
| Did your agency comply with its obligation to take all practicable measures to ensure the organisation, and its employees and agents, take action to reflect the principles of the Carers Charter in the provision of relevant services in the reporting period? If so, how? | Section 6(1)(b) |
| Did your agency comply with its obligation to ensure its internal human resource policies, so far as they may significantly affect an employee's caring role, are developed having due regard to the Carers Charter in the reporting period? If so, how? | Section 6(2) |
| Did your agency comply with its obligation to consult with carers, or bodies that represent carers, when developing or evaluating relevant services in the reporting period? If so, how? | Section 6(3) |

DHS has developed reporting guidance that public sector agencies can use to assist with meeting their reporting requirements under the Act. The guidance can be found on the DHS website.²³

2025–26 annual reports

Agencies required to comply with the Act prior to 1 July 2026²⁴ must report on their compliance with section 6 of the Act in their 2025–26 annual reports. This is because

²² Section 7.

²³ <https://dhs.sa.gov.au/how-we-help/carers/carers-recognition-act-2005>

²⁴ These agencies are the Department of Human Services, the Department for Health and Wellbeing, the Department for Education, the Department of State

these agencies had both compliance and reporting obligations under the Act in the reporting year.

Agencies with no obligations under the Act in 2025–26²⁵ will meet the reporting requirement in their 2025–26 annual report by including a statement in their annual report that the agency was not required to comply with section 6 of the Act in the reporting period.

Reporting in future years

After the 2025–26 transitional year, all public sector agencies will need to report on their compliance or non-compliance with each obligation in section 6 of the Act in their annual reports.

Monitoring

While there are no statutory consequences for non-compliance, DHS will be reviewing agencies' annual reports. If an agency does not appear to be meeting its obligations under the Act (for example, do not report on their compliance in their annual report or provide little evidence of compliance), DHS may contact the agency to ensure they are aware of their obligations under the Act and offer capability building support.

Development, the Department for Infrastructure and Transport, the South Australian Police Department and TAFE SA

²⁵ All South Australian public sector agencies other than those listed in the previous footnote.

Appendices

Appendix A. Summary of changes made by the *Carers Recognition (Miscellaneous) Amendment Act 2025*

The *Carers Recognition (Miscellaneous) Amendment Act 2025* (SA) makes several changes to the Act that start on 1 July 2026. These changes will help to improve recognition and support for South Australian carers.

The key changes are summarised in the table below.

| Change | Rationale |
|---|---|
| While the Act previously only applied to seven public sector agencies, it now applies to all public sector agencies | Aligns with the recommendation of the 2023 review of the Act, which recommended changing the definition of an ‘applicable organisation’ so that all public sector agencies are subject to the requirements in section 6. |
| Changes the definition of a carer to one which is focused on defining when a care relationship exists | This approach is more inclusive of the diversity of caring roles. It focuses on the care relationship and makes it easier for carers to self-identify. |
| Removes the requirement for care to be ongoing | Provides greater consistency with the Commonwealth legislation and aligns with the recommendations of the 2023 review of the Act. This change enables recognition of carers who provide care to people with transient or short-term care needs. |
| The Act now mentions ‘medical condition’, ‘terminal illness; and ‘dementia’, as well as when care is provided to someone experiencing alcohol or other drug dependence | Provides greater consistency with the Commonwealth legislation and aligns with the recommendations of the 2023 review of the Act, which found significant support for including an express reference to dementia. Medical conditions include a broad range of chronic and acute conditions. |
| Replaces the term ‘mental illness’ with ‘mental ill health’ | ‘Mental ill health’ is a broader term which includes both diagnosed mental illness and mental health factors that may predispose a person to developing a mental illness, including experiences of trauma and/or suicidality. |
| Removes section 5(3) which stated: <i>A person is not a carer for the purposes of this Act only because the person—</i> <i>(a) is a spouse, de facto partner, parent or guardian of the person to whom the care or assistance is being provided; or</i> | Addresses feedback that this clause caused confusion for carers and other stakeholders. Although it was intended to be an explanatory clause, it was often misunderstood to be an exclusionary clause. |

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| Change | Rationale |
|---|--|
| (b) <i>provides care to a child who has been placed in the care of that person under the Children's Protection Act 1993 or any other Act.</i> | |
| Changes to the definition of 'relevant services' | Clarifies that relevant services are only services specifically directed to carers and the people they care for, rather than services carers may receive incidentally. |
| Changes to the obligations the Act places on applicable organisations | Changes reflect the recommendations of the 2023 review of the Act which aim to improve identification and recognition of carers in service delivery and in internal human resource policy. |
| Adding a new obligation for an applicable organisation to ensure their internal human resource policies have due regard to the Carers Charter | Aligns with Priority 1 in DHS's response to the review entitled <i>We Care – Our Plan for South Australian Carers – Implementing the South Australian Carers Recognition Act 2005 and recommendations from its review</i> . Priority 1 is to make the Government an employer of choice for carers. |
| Introduces a requirement for the Act to be reviewed every five years | Aims to ensure the Act remains effective and responsive to carers' needs. |
| Introduces a new Carers Charter, which includes: <ul style="list-style-type: none"> • explicit recognition of Aboriginal and Torres Strait Islander carers, young carers, and informal carers, including grandparents, siblings and Aboriginal collective kinship carers. • recognition of the intersectionality of carers, and the additional barriers, challenges, and discrimination carers with overlapping identities face | Provides a strengthened and contemporary Carers Charter that reflects stakeholder feedback and aligns with the National Carers Strategy. |
| Makes consequential amendments to three Acts within the Attorney-General's portfolio. These relate to: <ul style="list-style-type: none"> • Section 5AA and section 20A of the <i>Criminal Law Consolidation Act 1935 (SA)</i> | Ensure the above changes to the requirement for care to be ongoing do not impact these pieces of legislation. |

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| Change | Rationale |
|--|-----------|
| <ul style="list-style-type: none">• Section 34U of the <i>Evidence Act 1929</i> (SA)• Section 8 of the <i>Intervention Orders (Prevention of Abuse) Act 2009</i> (SA) | |

Appendix B. South Australian public sector agencies

Listed here are the public sector agencies that existed as at 12 June 2026 and must comply with the Act. Agencies formed after this date must also comply with the Act.

- Adelaide Cemeteries Authority
- Adelaide Festival Centre Trust
- Adelaide Festival Corporation
- Adelaide Venue Management Corporation
- Alinytjara Wilurara Landscape Board
- Art Gallery of South Australia
- Attorney-General's Department
- Auditor-General's Department
- Barossa Hills Fleurieu Local Health Network
- Carclew Youth Arts Centre Incorporated
- Carrick Hill
- Central Adelaide Local Health Network
- Commission On Excellence and Innovation in Health
- Country Arts SA
- Courts Administration Authority
- CTP Regulator
- Defence SA
- Department for Child Protection
- Department for Correctional Services
- Department for Education
- Department for Energy and Mining
- Department for Environment and Water
- Department for Health and Wellbeing
- Department of State Development
- Department for Infrastructure and Transport
- Department for Trade and Investment
- Department of Human Services
- Department of Primary Industries and Regions
- Department of the Premier and Cabinet
- Department of Treasury and Finance
- Education Standards Board
- Electoral Commission of South Australia
- Electorate Services
- Environment Protection Authority
- Essential Services Commission of South Australia
- Eyre and Far North Local Health Network
- Eyre Peninsula Landscape Board
- Flinders and Upper North Local Health Network
- Forestry SA
- Funds SA

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- Government House
- Green Industries SA
- Hills And Fleurieu Landscape Board
- History Trust of South Australia
- HomeStart Finance
- Independent Commission against Corruption
- Infrastructure SA
- Jam Factory Contemporary Craft and Design
- Kangaroo Island Landscape Board
- Legal Profession Conduct Commission
- Legal Services Commission
- Lifetime Support Authority of South Australia
- Limestone Coast Landscape Board
- Limestone Coast Local Health Network
- Murraylands and Riverland Landscape Board
- Northern Adelaide Local Health Network
- Northern and Yorke Landscape Board
- Office for Recreation, Sport and Racing
- Office of Hydrogen Power South Australia
- Office of the Commissioner for Public Sector Employment
- Preventive Health SA
- Public Trustee
- Renewal SA
- Return to Work SA
- Riverland Mallee Coorong Local Health Network
- SA Ambulance Service
- SA Water
- SACE Board of South Australia
- South Australia Arid Lands Landscape Board
- South Australia Police
- South Australian Country Fire Service
- South Australian Film Corporation
- South Australian Fire and Emergency Services Commission
- South Australian Government Financing Authority
- South Australian Housing Trust
- South Australian Metropolitan Fire Service
- South Australian Motor Sport Board
- South Australian Museum
- South Australian State Emergency Services
- South Australian Tourism Commission
- Southern Adelaide Local Health Network
- State Library of South Australia
- State Theatre Company of South Australia
- Study Adelaide
- Super SA

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- Tafe SA
- Teachers Registration Board
- West Beach Parks
- Women's and Children's Health Network
- Yorke and Northern Local Health Network.