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Rights and Recognition for Carers: Opportunities and risks in a rights-based approach to policy framing

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Overview

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- **Introduction**
 - Recognising carers
 - Key trends
 - Framework for policy options
- **Policy developments**
 - Australia
 - UK
- **Recognition & Rights**
 - Value
 - Limitations
- **Potential implementation issues**

Introduction and key trends

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A framework of carer recognition and rights

- The essential foundation for an effective carer support policy?
- Emerges from a grassroots carers' movement in which those providing care claim voice, choice and the right to support, recognition and respect

CONTEXT

- Population ageing
- Ageing in place
- Care outside hospital
- Female labour force participation
- Smaller family size
- Dispersal and mobility

KEY TRENDS

- De-institutionalisation
- Privatisation
- 'Individualised' consumers / 'personalised' services
- Carer support

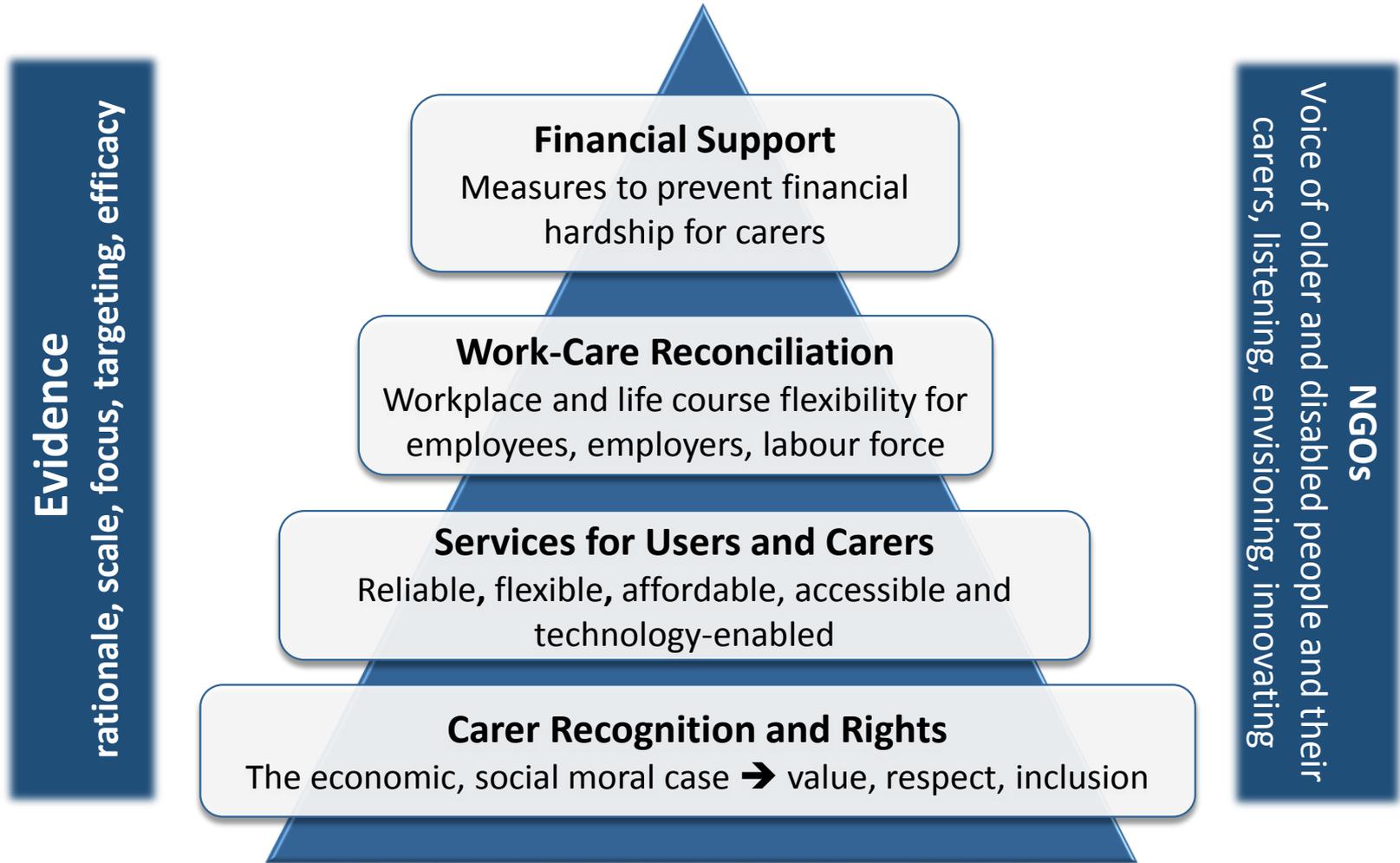
See: Yeandle, S., Kröger, T. & Cass, B. (2012) 'Voice and Choice for Users and Carers' *Journal of European Social Policy* 22(4) 432-445.

Framework for policy options

Model for delivering sustainable and inclusive support for carers

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* Figure developed by Yeandle & Fast:
<http://circle.leeds.ac.uk/files/2014/05/Challenge-of-Caring-v6-low-res-WEB.pdf>



Australia: recognition and rights for carers

- **National Carer Recognition Framework**
- *Carer Recognition Act (2010)*
 - 'The Statement for Australia's Carers': 10 guiding principles that focus on carers having the same rights, choices and opportunities as other Australians
 - Public service agencies/government-funded service providers must ensure their employees aware of The Statement; take carers' needs into account when developing and implementing services
 - **Policies and strategies for carers**
 - Integrated Plan for Carer Support; Carer Gateway
 - National Carer Strategy Action Plan
 - National Disability Strategy 2010-2020
 - National Mental Health Strategy and Policy
 - States/Northern Territory have carer legislation; ACT carers' charter; Tasmania carer policy
- **Purpose of Framework:**
 - Stated commitment to recognise and respond to the needs of carers so that they **have rights, choices, opportunities** and **capabilities** to participate in economic, social and community life

Australia: policy progress

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Financial Support	Work-Care Reconciliation	Services and support
<p>Carer Payment: means tested, fortnightly income support</p>	<p><i>Fair Work Act 2009</i></p>	<p>Home care: means & needs tested; much reliance on carers; ‘short bursts of care’; potential privatising under CDC model</p>
<p>Carer’s Allowance: not means tested; extra payment for daily care provided for person with disability/serious illness/frail aged</p>	<p><i>Fair Work Amendment 2013:</i> Extend RTRFW to workers with disabilities, mature-age workers 55+/workers with caring responsibilities; at employer discretion</p>	<p>Community services / home modifications: means tested; ; potential privatising under CDC model</p>
<p>Paid personal / carer's leave: 10 days per year for full-time employees; pro rata for part-time employees</p>	<p><i>Toolkit for working carers Working Carers Gateway</i></p>	<p>Residential care: means/needs tested, ‘last resort’ for high care needs</p> <p>Consumer-directed care</p> <p><i>Aged care reforms</i></p> <p><i>NDIS</i></p>

UK: recognition and rights for carers

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- ***Carers (Recognition & Services) Act 1995***
 - ▣ Introduced the concept of a local authority (LA) **carer's assessment**
- ***Carers (Equal Opportunities) Act 2004***
 - ▣ Required LAs to **consider carers' wish to work or learn** when conducting carer's assessments
- ***National Carers' Strategy 2008***
 - ▣ Focused on services, social inclusion, income and employment, health and well-being, and young carers
- ***Equality Act 2010***
 - ▣ Protects carers of a disabled person from discrimination
- The recognition and rights concept is based on an **economic, social and moral case** for treating care to others as a **contribution to citizenship**
- 'Recognising' carers means **valuing** what they do, **respecting** them for giving care to others, and developing '**socially inclusive**' arrangements for carers.

UK: policy progress

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Financial Support	Work-Care Reconciliation	Services and support
<p>Carer's Allowance*: caring 35+ hrs wk. No means test but only paid if no or low earnings; CA is taxable.</p>	<p>Employment Relations Act 1999 – right to short period of unpaid time off for family emergencies</p>	<p>Home care: means & needs tested; much reliance on carers; 'short bursts of care' rationed and privatising</p>
<p>Carer Premium - extra sum paid to low-income carers</p>	<p>Employment Act 2002 – RTRFW for parents of disabled children</p>	<p>Community-based services chargeable, some replaced by PA support via DPs</p>
<p>Carer's Credit- to enhance state retirement pension of carers not in paid work</p>	<p>Work and Families Act 2006 - extended RTRFW to most carers of adults</p>	<p>Residential & nursing care means/needs tested, 'last resort' for high care needs</p>
<p>* CA [prev. Invalid Care Allow'ce (1976) is a low level payment. 'Contributes' to carers' financial wellbeing, does not 'replace' foregone wages of carers who leave/reduce paid work</p>	<p>Children & Families Act 2014 RTRFW all (+6mths)</p>	<p>Care Act 2014 consolidation: 'wellbeing'; more carers' rights</p>
	<p>Care Act 2014 – duty on LAs to provide services to help carers work & care</p>	<p>From 1990s, progressive introduction of CDC for disabled & older people</p>

Framing: discourse and debates

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- ***Carers' rights*** - e.g. Eurocarers' 10 Principles:
 - ▣ *Recognition of carers' central role, own health needs; need for advice, information, training; access to affordable formal care*
 - ▣ *Rights to 'a social life'; EOs; 'choose if they want to be a carer and the extent of caring'; 'financial, practical & emotional support'; time off from caring; 'combine caring with paid work; 'financial security'*
- ***Citizenship rights***
 - ▣ Welfare state
 - ▣ Gender equality and diversity
 - ▣ Social inclusion
- ***Human rights***
 - ▣ Right to family life
 - ▣ International language / commitments

Recognition and rights in policy framing: value of approach

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Rationale for a recognition approach....

- Fairness, esp. regarding poverty, health and wellbeing
- Social inclusion
- Dignity and respect
- Care (like paid work) as a key component of citizenship

Should progress in recognising care be re-framed into a human rights approach?

- Emerging policy approach in Australia & Canada
 - **Australian Human Rights Commission** (2013) *Investing in Care: Recognising and valuing those who care* Vol. 1: Research Report, https://www.humanrights.gov.au/sites/default/files/UnpaidCaringVolume1_2013.pdf.
 - **Canadian Human Rights Commission** (2015) *A Guide to Balancing Work and Caregiving Obligations: Collaborative approaches for a supportive and well-performing workplace*, Ottawa, CHRC, http://www.chrc-ccdp.gc.ca/sites/default/files/a_guide_to_balancing_work.pdf.

Recognition and rights in policy framing: limitations of approach

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- ***Financial support***
 - Tokenistic, paternalistic? - usually paid at low rates, highly rationed and often strictly means and needs -tested
- ***Work care reconciliation***
 - Conflict between rhetoric and reality, often offered at expense of the carer, and reliant on employer discretion
- ***Services***
 - Privatisation, 'responsibilisation' and consumerism --> unequal access to support, highly variable quality. This often fails to deliver wellbeing outcomes for carers
- ***Formal recognition and explicit rights***
 - Can a R&R framing achieve fairness and enhanced policy outcomes for carers (in their health, income and wellbeing)?

Implementing carers' rights and recognition: opportunities, risks and next steps

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- In Australia/UK, implementation remains limited. Carers still struggle for recognition; **few get tangible, rights-based, support.**
- In most countries, evaluation of the **impact of policy changes** or of **which carers, in what circumstances, benefit**, is poor
- **The international knowledge base** on 'progress and pitfalls' in developing recognition & rights for carers **needs development**
- An approach **connecting care systems, care work and the relationships of care** is needed, taking into account:
 - ▣ The contemporary context of ***global and technological change***
 - ▣ The risks and opportunities presented by ***technology, human mobility***
 - ▣ The need for a new theoretical focus on ***sustainability*** and ***wellbeing***

Contact details and further information

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Sustainable Care: connecting people and systems

New UK ESRC research programme and international network, 2017-21

https://www.sheffield.ac.uk/polopoly_fs/1.718769!/file/Overview-Sustainable-Care-research-programme-2.pdf

International Journal of Care and Caring

<http://policypress.co.uk/journals/international-journal-of-care-and-caring>