

This fact sheet provides information and guidance to managers to support staff in South Western Sydney Local Health District (SWSLHD) who have caring responsibilities outside of work.

Who are Carers?

The [Carer Recognition Act 2010](#) defines a **carer** as an individual who provides personal care, support and assistance to another person who needs it because that other individual:

- (a) has a disability; or
- (b) has a medical condition (including a terminal or chronic illness); or
- (c) has a mental illness; or
- (d) is frail and aged.

An individual is not a **carer** in respect of care, support and assistance if he or she provides:

- (a) under a contract of service or a contract for the provision of services; or
- (b) in the course of doing voluntary work for a charitable, welfare or community organisation; or
- (c) as part of the requirements of a course of education or training.

Carers in the workplace

Engaging in paid work while caring can be challenging and requires consideration and support from employers. Without adequate support, working carers may experience detrimental effects on their wellbeing and overall quality of life. This in turn can have knock-on effects on the person/people being cared for.

It is important for employers to understand the challenges working carers experience. Working together with the employee is crucial in trying to accommodate individual needs and ensure employee rights are upheld.

Policy and Legislative Context

- Part 3 of the [Carer Recognition Act 2010](#) 'Obligations of public service agencies and associated providers' states 'each public service agency's internal human resources policies, so far as they may significantly affect an employee's caring role, are to be developed having due regard to the Statement for Australia's Carers'.
- Under the [Anti-Discrimination Act 1977](#), employers are required to reasonably accommodate the caring responsibilities of their employees unless they can show that it would cause them unjustifiable hardship.

- The [Leave Matters for the NSW Health Service](#) Policy Directive (PD2023_006) states that 'all NSW Health manager's primary responsibility is to ensure the continuation of service provision and the wellbeing of patients and staff'. When dealing with leave requests, managers must ensure decisions are made consistent with legislative provisions, NSW Health Awards and this Policy (p.i).
- Under the [SWSLHD Flexible Working Arrangements Procedure](#) (SWSLHD_Proc2023_004), employees with carer responsibilities should be supported by accessing appropriate FWA in line with the principles of the [NSW Carers Charter](#).

Carer Identification and Supporting Carers in the Workplace

Carers are not required to inform their managers that they have caring responsibilities outside of work. However, if you are aware that a staff member is caring for someone, it can be helpful for both of you to discuss the situation. There are several ways you may be able to provide support:

- Where possible, facilitate flexible work practices so that the employee can attend medical appointments or therapy appointments as required.
- Talk to the employee about leave planning, so that you can plan to cover any absences. Check they are aware of their leave entitlements but be aware that they may need unplanned time off at short notice.
- Discuss whether the employee wants colleagues to know of their situation, and if so, agree on how it should be communicated.
- Regularly check in with the employee offer support, see if their circumstances have changed, or if there are any other ways the workplace can support them in managing their work/carer responsibilities.

Leave Options and Flexible Work Arrangements

A working carer has the same leave entitlements as other employees. These leave options may be used to meet the responsibilities or demands of a caring role outside work. Certain leave entitlements may include:

- Personal/Carers Leave
- Family and Community Services Leave (FACS)
- Annual Leave
- Long Service Leave
- Leave without pay

When an employee discloses their caring duties with you with the provided supporting documentation, it is important to discuss with the employee about [Flexible Working Arrangements \(FWA\)](#). Examples of FWAs may include:

- Working from home (if applicable) or working from another location
- Job sharing
- Flexible working hours
- Part time work

When a request for a FWA is received, the manager should:

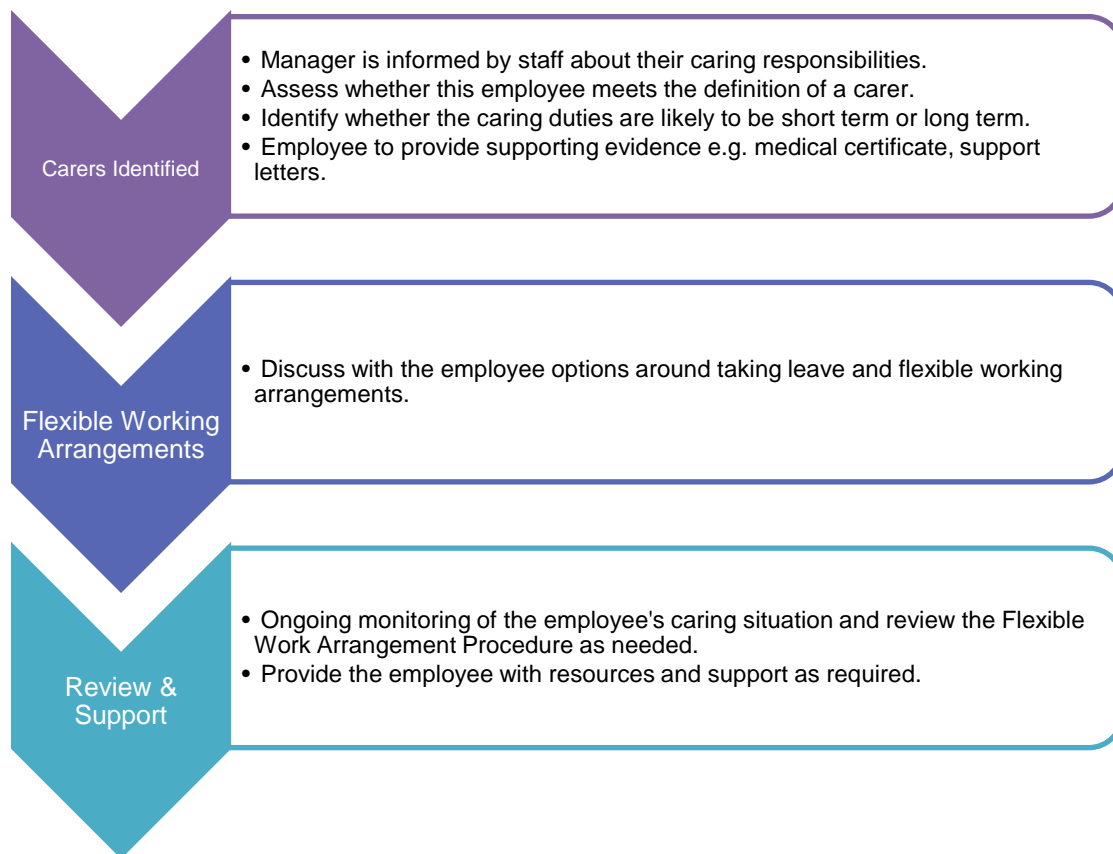
- Ask the employee to put their request in writing by completing the application for [Flexible Working Arrangements Form](#).
- Carefully consider the request in relation to operational requirements and the employee's needs.
- Consult with local Human Resources Department for guidance and support with decision-making as required.
- Meet with the employee and other relevant stakeholders to discuss the requested arrangement and assess the impact on service delivery.
- Once there is a mutual agreement of the employee's FWA, approval by the delegated authorising officer is required before the arrangement commences.
- Provide the employee with a written response to their request. All approved arrangements must be recorded in Stafflink and Healthroster.
- Review the arrangement with the employee at each quarter within a 12 month (maximum) approval period. Quarterly reviews are conducted informally and must be documented by the manager.

Make sure that all documentation in relation to the arrangement is stored appropriately.

Managers guide to support working carers

Refer to the flow chart below for a quick guide on how to manage and support staff with caring responsibilities.

Supporting Working Carers



Support Services and Resources for Working Carers

Apart from FWAs, there are number of other ways you can support employees with caring responsibilities including:

- [SWSLHD Staff Wellbeing & Support Service](#): A free and confidential for all SWSLHD employees and their families.
Phone: 02 8738 4552
Email: SWSLHD-StaffWellbeingSupportServices@health.nsw.gov.au
- [Carer Gateway](#): An Australian Government program providing free services and support for carers.
Phone: 1800 422 737
- [SWSLHD Carers Program](#) provides support and information for working carers.
Phone: 0476 801 022 or 0477 384 643
Email: SWSLHD-CarersProgram@health.nsw.gov.au

Further Reading

- Flexible working policy guidance | NSW Public Service Commission
www.psc.nsw.gov.au/culture-and-inclusion/flexible-working/flexible-working-policy-guidance
- Leave Matters for the NSW Health Service
www1.health.nsw.gov.au/pds/ActivePDSDocuments/PD2023_006.pdf
- [SWSLHD Flexible Working Arrangements Procedure](#)
https://sWSLHD-intranet.sswahs.nsw.gov.au/Policies/PPG/GenerateWaterMark?param=SWSLHD,SWSLHD_PROC2023_004
- Guide to the NSW Carers (Recognition) Act 2010
www.dcj.nsw.gov.au/community-inclusion/carers.html
- SWSLHD Carers Program
www.sWSLHD.health.nsw.gov.au/carers
- Carers and Employers
www.carersandemployers.org.au