

**MEDIA RELEASE****30 April 2026****Implementation of the Carers Recognition Act 2021**

ACT Auditor-General, Mr Ajay Sharma PSM, today presented a report on **Implementation of the Carers Recognition Act 2021** to the Speaker for tabling in the ACT Legislative Assembly.

The *Carers Recognition Act 2021* establishes a set of care relationship principles regarding the treatment of carers. It stipulates that care and carer support agencies, including public sector agencies, have obligations relating to the care relationship principles. The Act also identifies reporting requirements.

The Directorate responsible for the Act is the Health and Community Services Directorate and the Strategic Policy Branch within the Directorate is responsible for implementing the Act. The audit considered the Health and Community Services Directorate's activities to support care and carer support agencies to recognise and implement the *Carers Recognition Act 2021*. The audit also considered implementation of the Act by the Education Directorate and Canberra Health Services.

The audit found that the Health and Community Services Directorate did not develop a plan for implementing the Act and has not provided effective support for ACT Government agencies and community stakeholders. The Directorate placed the onus on agencies to identify whether and how the Act applied. Agency practices in response to the obligations specified in the Act have varied.

Mr Sharma says 'by not effectively planning for, supporting or managing implementation, there is an increased risk that the Act is not implemented effectively, and carers are not recognised or supported in the manner intended by the Act'.

The report makes five recommendations for improvement.

The summary of **Implementation of the Carers Recognition Act 2021: Report No 4/2026**, with audit conclusions and key findings are attached to this media release.

**Implementation of the Carers Recognition Act 2021** is available to download from the ACT Audit Office's website [www.audit.act.gov.au](http://www.audit.act.gov.au). If you need assistance accessing the report please phone 6207 0833.

# Summary

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The *Carers Recognition Act 2021* (ACT) establishes a set of care relationship principles regarding the treatment of carers. It stipulates that care and carer support agencies, including public sector agencies, have obligations relating to the care relationship principles. The Act also identifies reporting requirements.

The audit considered ACT Government agencies' implementation of the *Carers Recognition Act 2021*. The audit considered:

- the Health and Community Services Directorate's activities to support care and carer support agencies to recognise and implement the *Carers Recognition Act 2021*; and
- a selection of ACT Government agencies, in their capacity as care and carer support agencies, to recognise and implement the *Carers Recognition Act 2021*.

The ACT Government agencies considered for the purpose of the audit were the Education Directorate and Canberra Health Services.



## Conclusions

### Support for agencies

The Health and Community Services Directorate (HCSD) did not develop a plan for implementing the Act and has not provided effective support for ACT Government agencies and community stakeholders.

The Directorate did not provide information on the obligations of ACT Government agencies to uphold the care relationship principles when implementing policies or to consider the care relationship principles when developing internal human resources policies, nor did the Directorate explicitly identify whether (or which) ACT Government agencies have reporting obligations. The Directorate placed the onus on agencies to identify whether and how the Act applied. Community stakeholders have also advised that communication and education about the Act has been minimal and that an easily identifiable point of contact within the Directorate for support has been lacking.

By not effectively planning for, supporting or managing implementation, there is an increased risk that the Act is not implemented effectively and carers are not recognised or supported in the manner intended by the Act.

### Agency practices

Agency practices in response to the obligations specified in the Act have varied. Canberra Health Services (CHS) and the Education Directorate have recognised and implemented support for carers in different ways and to different effect, depending on their operational needs and priorities.

Canberra Health Services has sought to enhance awareness of carers generally as well as staff who are carers, while the Education Directorate has consistently made strong efforts to support young carers within schools.

Canberra Health Services has demonstrated a more proactive and explicit acknowledgement of the Act by integrating the Act into policies, procedures and guidelines and specifically consulting with carers when planning or reviewing support services or programs.



## Key findings

### Support for agencies

Paragraph

#### Support for ACT Government agencies

HCSO did not develop a plan for the implementation of the Act. Its activities to implement the Act were managed within existing HCSO resources. HCSO did not provide any education or training to agencies to support implementation. By not effectively planning for, supporting or managing implementation, there is an increased risk that the Act will not be implemented effectively and ACT Government directorates and agencies do not recognise or support carers in the manner intended by the Act. 2.6

In early April 2022, the Director-General of CSD sent a letter to Directors-General advising of the commencement of the Act in June 2022. An Information Sheet accompanied the letter, which included a link to the Act and provided some information about the Act. The Information Sheet did not provide information on the obligations of agencies to uphold the care relationship principles when implementing policies or to consider the care relationship principles when developing internal human resources policies. The Information Sheet also did not explicitly identify whether (or which) ACT Government agencies have reporting obligations. The onus was on agencies to identify whether they had reporting obligations. 2.18

In late April 2022, for the purpose of developing a communications strategy for the implementation of the Act, CSD sought information from the Policy and Service Design team. Information was requested on inter alia 'which agencies are required by the Act to report and consult, and on what matters' and 'what matters are care and carer support agencies required to consult on'. Information was also sought on annual reporting obligations. Advice was provided in return, which indicated that an agency that provided 'universal services' was unlikely to be a care and carer support agency. 2.19

In May 2022, there was a series of meetings of Chief Operating Officers at which questions were raised with respect to the Act and its applicability to directorates and agencies. CSD advised that directorates and agencies should self-assess whether they have obligations. On 10 June 2022 (the date of the Act's commencement in full), CSD sent further correspondence to Directors-General. The correspondence included inter alia an 'ACT Gov Directorates Carers Recognition Act background and FAQ' which provided background on the Act and answers to 'specific frequently asked questions and answers' for Government agencies as well as an 'Information Sheet Carers Recognition Act 2021' which was the same as that which was sent in April 2022. The correspondence did not provide any further clarification as to whether and how the Act applied to agencies. 2.28

The Assistant Minister for Families and Community Services advised the ACT Legislative Assembly on 9 June 2022 that implementation of the Act ‘is a whole-of-government ... responsibility’. On 30 March 2023, the Assistant Minister for Families and Community Services responded to a question on notice with respect to ‘which government agencies are considered care and carer support agencies’. The Assistant Minister advised that all government directorates are considered care and carer support agencies. This was a definitive and explicit statement as to the applicability of the Act, which had not been previously made by CSD. 2.33

There is an ACT Government webpage managed by the Health and Community Services Directorate called ‘Carers Recognition Act: guidance for agencies that provide carer support’. Under the heading ‘Purpose of the Act’, the webpage provides a link to the Act and states that the Act ‘applies to agencies that provide carer support’. The webpage does not provide any further guidance. The webpage does not provide guidance or advice that all ACT Government directorates and agencies are considered to be care and carer support agencies and therefore have obligations under the Act. The webpage also includes a link to a reporting template which provides guidance to agencies on what information to include in annual reports. 2.40

Annual report directions issued by CMTEDD since 2022 have identified requirements for reporting against the Act. Reporting requirements relevant to the Act have been included in Part 4 of the annual report directions, which ‘sets out the reporting requirements on subjects that only apply to ... specific reporting entities’. Referring to the Act in Part 4 signals that that reporting requirement only applies to select directorates and agencies. This is contrary to the position that all government directorates are care and carer support agencies and would therefore have reporting obligations. 2.49

In May 2025, CSD recognised that some agencies remained uncertain about whether they had reporting obligations under the Act. CSD requested that updated guidance material be provided to all directorates and agencies regarding their annual reporting obligations. Guidance was distributed by CMTEDD’s Office of Industrial Relations and Workforce Strategy on 19 May 2025, which noted ‘even if a directorate does not deliver carer support, it should still aim to promote and uphold the care relationship principles for its own staff who are carers’. 2.53

A review of ACT Government agencies’ reporting on their obligations under the Act shows variability in whether agencies have actually reported as required as well as the sufficiency of their reporting (i.e. whether the reporting was detailed enough to cover most, if not all, prescribed information). Only three directorates (Community Services Directorate, Environment Planning and Sustainable Development Directorate and Chief Minister, Treasury and Economic Development Directorate) have included reporting under the Act in their annual reports since 2021-22. The reporting of two directorates (Canberra Health Services and ACT Health Directorate) has been sufficient to cover most, if not all, prescribed information, since they commenced reporting in 2022-23. 2.61

### **Support for community agencies**

HCSD has sought to educate community organisations about the Act through a variety of mechanisms. In May 2022, a letter and information sheet was sent by the Minister’s office to all community organisations listed on a ‘January 2022 Community 2.73

Sector email distribution list' (715 email addresses). This was followed by a ten-minute presentation at a CSD and Community Sector Update meeting. The email invitation was sent to 376 email addresses and there were 159 acceptances to the invite. In June 2025, CSD sent an ACT Community Partner Update newsletter which included a brief news item on 'NGOs and the Carers Recognition Act'. Community stakeholders have advised the Audit Office that there has been minimal communication and education about the Act and there is no easily identifiable point of contact within HCSD to answer questions about the Act.

The Act recognises that ACT Government agencies may fund or contract non-government organisations to provide support services or programs that directly impact people in care relationships, i.e. funded support agencies and secondary funded support agencies. When entering into a contract with a funded support agency, it is expected that HCSD would advise the funded support agency of its obligations under sections 10 and 11 of the Act (including with respect to secondary funded support agencies). A review of six high-value contracts that HCSD has with funded support agencies, all of which were executed soon after the Act came into effect, shows that only one of the six contracts referred to the Act. 2.80

### **Monitoring and review**

HCSD does not monitor the implementation of the Act or otherwise monitor the performance of agencies and their compliance with the Act. Some Australian states have carer advisory councils established under their respective carers recognition legislation, which are explicitly tasked with providing an annual report to the Minister on performance and compliance with the Act. The ACT does not have a similar arrangement. 2.87

### **Agency practices**

#### **Planning to implement the Act**

Both CHS and the Education Directorate received correspondence about the Act from CSD in April and June 2022. CHS recognised that it had responsibilities under the Act and made plans for implementation in June 2022. On 2 May 2023, an Implementation Plan developed by the People and Culture Branch was approved. The Implementation Plan was clear and actionable because it aligned reporting obligations with actions/evidence and dates for completion. 3.16

The Education Directorate was initially unsure whether it had obligations under the Act and sought confirmation from CSD, which was obtained on 1 June 2022. The Education Directorate identified an intention to develop communications associated with the Act and consult with staff who are carers on the development of human resource management policies. The Education Directorate did not develop an implementation plan with clear and actionable activities. 3.17

#### **Raising awareness and understanding**

Both CHS and the Education Directorate have undertaken various activities to raise awareness and understanding of the needs of carers. Since 2023, CHS has sought to enhance awareness and understanding of the care relationship principles, both internally and externally, by developing an information sheet for carers, a factsheet 3.39

for staff, a staff network with an associated strategy and by promoting National Carers Week.

The Education Directorate has, since at least 2021, made strong efforts to develop and distribute information about supports for young carers. More recently the Directorate has also sought to raise awareness of the needs of its own staff who are carers. In 2026, the Education Directorate is seeking to establish a Carers Network for its staff and a Parent Intranet Page for staff who are parents. 3.40

### Support services, programs and policies

Both CHS and the Education Directorate have sought to recognise and uphold the care relationship principles in ways directly relevant to each organisation. In June 2022, the Strategy and Governance – Policy Team within CHS commenced reviewing and updating policy, procedure and guideline templates to include the Act in related legislation and prompt authors to consider the Act during future document development. CHS also seeks to uphold the care relationship principles in delivering services such as Child and Adolescent Mental Health Services. 3.49

The Education Directorate supports young carers by enabling them to be identified as carers when being enrolled in a school. If a young person identifies as a carer then ‘individual schools will use this information to facilitate conversations with families and to support students at the school/college level’. Various supports and flexible arrangements may be implemented as a result. The *Safe and Supportive Schools Policy*, which is an important policy for students and their families, does not mention the Act or include the Act in the list of relevant legislation. 3.50

### Consultation with carers

CHS has consulted with carers and entities representing carers when planning or reviewing support services and programs. It has done this via a Disability and Carers Staff Network and by seeking direct feedback on policy documents and frameworks from carer organisations such as Carers ACT. The Education Directorate has sought feedback from all staff, staff representatives, unions and other organisations on various plans and guidelines. In doing so, however, the Directorate has not specifically and explicitly sought feedback from carers or entities representing carers. 3.62

CHS specifically consults with carers through two key advisory groups: the Consumer and Carer Advisory Committee and CHS Network Partnering with Consumers Committee. The Advisory Committee seeks to provide ‘advice to Canberra Health Services (CHS) on the quality and safety of health care provided by CHS. This includes providing consumer and carer perspectives on the experience of care as well as planning, design, delivery, measurement, and evaluation of health care’. The Education Directorate has consulted with carer support services as needed on specific issues. 3.71

### Human resources policies

Both CHS and the Education Directorate have sought to support staff who are carers in ways directly relevant to each organisation. Both directorates support staff who are carers by virtue of their commitment to flexible working arrangements and ACTPS-wide human resources policies. CHS has a Strengths, Engagement and 3.84

Development (SED) process for staff performance and development, which asks staff what they need and how work arrangements can be improved. One of the examples provided is to discuss flexible work arrangements for carers with additional responsibilities outside work. The Education Directorate has also recognised the needs of its teachers who may be carers through its *Classroom Teacher Recruitment Guidelines*, which allows for carer responsibilities to be considered in compassionate transfer decisions.

### Evaluation

CHS collects feedback from carers via surveys and, in November 2025, evaluated its own compliance with the Act via a legislative compliance self-assessment. The self-assessment identified nil gaps or actions required. The Education Directorate collects feedback from staff (including carers) via the biennial ACTPS staff survey. It does not specifically monitor or evaluate its compliance with the Act, e.g. through a legislative compliance self-assessment.

3.92



## Recommendations

### Recommendation 1

#### Support for ACTPS agencies

The Health and Community Services Directorate should:

- a) ensure that agencies are provided with clear and explicit information in relation to their obligations under the *Carers Recognition Act 2021* and what those obligations are; and
- b) establish processes for the implementation of the Act across the ACTPS, such as providing education and training to agencies and regularly monitoring and tracking progress.

### Recommendation 2

#### Annual report directions

The Chief Minister, Treasury and Economic Development Directorate should revise the annual report directions to require agency reporting on the implementation of the *Carers Recognition Act 2021* under Part 5 of the directions (relating to whole-of-government reporting).

### Recommendation 3

#### Community stakeholder engagement

The Health and Community Services Directorate should:

- a) identify further opportunities to educate community stakeholders on a regular basis about the *Carers Recognition Act 2021*; and
- b) establish and publicise a branch-level point of contact to respond to stakeholder queries about the Act.

### Recommendation 4

#### Funded and secondary funded support agencies

The Health and Community Services Directorate should ensure that all its contracts with funded and secondary funded support agencies reflect the obligations set out in the *Carers Recognition Act 2021*.

The Education Directorate in its capacity as a care and carer support agency should establish an implementation plan for managing the implementation of the *Carers Recognition Act 2021*.

## Agencies' response

In accordance with subsection 18(2) of the *Auditor-General Act 1996*, the Health and Community Services Directorate, Education Directorate, Canberra Health Services and Chief Minister, Treasury and Economic Development Directorate were provided with a draft proposed report for comment. All comments in response to the draft proposed report were considered and changes were reflected in a final proposed report.

The directorates were provided with the final proposed report for comment. All comments in response to the final proposed report were considered and changes reflected in a final report. As part of the final proposed report process, agencies were invited to provide comments for inclusion in the Summary chapter of the final report.

The following comments were provided for inclusion in the Summary chapter.

### Health and Community Services Directorate

*The Health and Community Services Directorate (HCSD) acknowledges the findings and recommendations of the ACT Audit Office's Report (the Report) on the Implementation of the Carers Recognition Act (the Act) since its establishment in 2021.*

*The Directorate welcomes the audit process as an opportunity to improve its stewardship of the Act and to strengthen the support provided to agencies and community organisations. HCSD notes that it has already implemented, or is in the process of implementing, several findings.*

*More broadly, HCSD continues to work collaboratively with carers and the community sector to implement the vision of the ACT Carers Strategy of a community that cares for carers and the people they care for.*