

Submission to the Productivity Commission Inquiry into Carer Leave provisions in the National Employment Standards

1. About OPAN

Formed in March 2017, the Older Persons Advocacy Network (OPAN) is a national network comprised of nine state and territory organisations that have been successfully delivering advocacy, information and education services to older people across Australia for over 30 years. Our members are also known as

ACT	ACT Disability, Aged and Carer Advocacy Services (ADACAS)	SA	Aged Rights Advocacy Service (ARAS)
NSW	Seniors Rights Service (SRS)	TAS	Advocacy Tasmania
NT	Darwin Community Legal Service	VIC	Elder Rights Advocacy (ERA)
NT	CatholicCareNT (Central Australia)	WA	Advocare
QLD	Aged and Disability Advocacy Australia (ADA Australia)		

State Delivery Organisations (SDOs). The OPAN SDOs are:
 OPAN is funded by the Australian Government to deliver the National Aged Care Advocacy Program (NACAP). OPAN aims to provide a national voice for aged care advocacy and promote excellence and national consistency in the delivery of advocacy services under the NACAP.

OPAN’s free services support older people and their representatives to understand and address issues related to Commonwealth funded aged care services. We achieve this through the delivery of education, information and individual advocacy support. In 2021/22, OPAN delivered information and advocacy support to over 27,000 people across the nation.

OPAN is always on the side of the older person we are supporting. It is an independent body with no membership beyond the nine SDOs. This independence is a key strength both for individual advocacy and for our systemic advocacy.

OPAN member organisations by state or territory:

ACT	SA	VIC	NSW	NT - Top End
				
QLD	TAS	WA	NT - Central	
				 Funded by: Australian Government Department of Health

In relation to the inquiry request for comments in relation to carers leave provisions within the National Employment Standards (NES) OPAN would like to provide the following comments in summary:

- The current carer leave provisions within the NES are inadequate to support longer term care of older people by family, relatives and friends. Personal leave arrangements often are only available to those with a direct family relationship.
- OPAN believes significant social and economic benefit will be delivered in the longer term by the addition of these extended carer leave provisions. It will encourage people with carer commitments to have more flexible working arrangements and to be able to return to the workforce after care has been completed or alternative arrangements have been made. Such provisions will allow carers time to make arrangements for additional or alternative support to be in place, or to continue their care and support in a flexible direct. Currently the long waiting list for home care packages, and the adequacy of these packages mean that additional caring supports are required from family, friends, families of choice. Extended leave for carers will complement paid care provision and to allow older people to exercise choice to remain in their homes longer. Care at home lowers costs to the system over time by reducing the need for higher cost residential aged care.
- While there are some employers providing access to extended unpaid carers leave the fact that this is not available to all employees across Australia provides a strong impetus for including within the NES. This should be right for all employees who are employed full or part time.
- OPAN is fully supportive of the inclusion of additional provisions for unpaid carers leave within the NES and believes that a minimum this should align with paternity leave provisions
- the evidence requirements for accessing the carer leave provisions should be of a low level and reasonable I.E. Should not need significant evidence from care providers/GP.
- While our position similar levels of unpaid carer leave should align with paternity leave provisions there will be times where extended carer leave is required past the 12 months entitlement.
- OPAN is aware that in rural remote locations the need for carer support is even greater and while there shouldn't be a substitute of unpaid carers for the paid care workforce, enhanced carer leave provisions would be of assistance, as long as these are flexible in the way they are used.
- The carers supplement should be increased in line with any unpaid carer leave extended provisions as it is currently inadequate to assist older people to receive the care and support they need from informal/unpaid carers.
- There is also need to recognise the value of carer work - there should be recognition towards any mutual obligations in 'Work for the Dole' or other schemes.