



Policy

Local Coordination Operational Policy – Family Members as Paid Support Workers

Purpose

This Policy outlines the principles regarding family members as paid support workers and the informal support provided by families and carers.

Scope

This Policy applies to all Local Coordination areas and is applicable to people with disability accessing Local Coordination support.

Definitions

Family member - an individual who is related to a person with disability through one of the following relationships: wife, husband, father, mother, grandfather, grandmother, step-father, step-mother, son, daughter, grandson, grand-daughter, step-son, step-daughter, brother, sister, half-brother, half-sister, step-brother, step-sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, sister-in-law, brother-in-law, aunt, uncle, niece, nephew, first cousin, boyfriend, girlfriend.

This also includes any legally recognised variation to these relationships, such as de facto, adoptive, ex-nuptial relationships, same sex relationships and changes resulting from separation/divorce of family members.

Guardian/Administrator - an individual appointed by the State Administrative Tribunal as a Guardian and/or Administrator (whole or in part) for a person with disability will be considered a family member for the purposes of this policy.

Carer - an individual who provides ongoing care or assistance to a person with disability on a voluntary (unpaid) basis.

Support Worker - an individual who is paid to provide personal care or community access supports to a person with a disability, either as an employee or independent contractor.

Exceptional circumstances - a unique situation which prohibits the provision of formal supports through standard service delivery mechanisms to a person with disability. Exceptional circumstances may include a situation where the person with disability:
(a) has specific requirements that cannot be met through other formal support systems

- (b) lives in an isolated or remote locality where there are no alternative support systems available
- (c) has no suitable alternative available once all other support options have been explored.

Policy statements

Department of Communities (Communities) recognises the integral role of family and carers in providing informal support to people with disability and encourages and assists families and carers to maintain this informal support.

Communities may fund formal supports that are reasonable and necessary as a result of a person's disability. Funded supports are not intended to replace the natural role of families and carers.

An individual will not be paid for acting as a support worker to a family member with disability, except where approved for a strictly time-limited period due to demonstrated exceptional circumstances.

Funded disability supports

Communities acknowledges the vital importance of a person's family and carers in providing informal support to the person with disability. Communities will support the person's family and carers to continue this role. A person's plan may include funded supports that assist the person's family and carers to maintain their support of the person.

There is a general expectation in the community about the informal support which can be provided by a person's family or carers. Funded disability supports are intended to complement, not replace, this support.

Family members who act as a carer to a person with disability may be eligible for income support through the provisions of the Australian Government Carer Payment and Carer Allowance. Funded disability supports are not intended to replace, or supplement existing Australian Government income supports.

Safeguarding

The rights of the person with disability are paramount. The payment of a family member to act as a support worker to the person with disability may:

- restrict the person's choice and control in the implementation of their supports
- decrease the person's capacity to develop independence
- heighten the person's vulnerability to abuse, neglect and exploitation
- constitute a perceived and/or actual conflict of interest between the person's best interests and the income support for the family member
- result in limited opportunities for breaks from the caring role for the family member
- negatively impact on family relationships.

Exceptional circumstances

A family member will not be paid for acting as a support worker for a person with disability, except where approved for a strictly time-limited period due to demonstrated exceptional circumstances.

Where a family member considers that exceptional circumstances may apply, the family member may discuss this with the Local Coordinator in the first instance; or with their disability service provider where the person is not linked with Local Coordination. The Local Coordinator will collaborate with the family member to explore all support options for the person with disability.

The Local Coordinator is required to discuss the matter with the Regional Manager and Executive Director. The Regional Manager can refer the matter to the Communities Out-of-Policy Management Committee (OPMC) to determine whether exceptional circumstances have been demonstrated. For individual's not connected to Local Coordination, the disability service provider can discuss the matter with their Service Contract and Development Officer, and the matter can be referred to the OPMC to determine whether exceptional circumstances have been demonstrated.

Where a family member is approved to be paid for acting as a support worker for the person with disability, this will be reviewed within three months or as otherwise appropriate based on the person with disability's circumstances. This will be determined by either OPMC or the Executive Director, State-wide Services, Community Services Division for individuals connected to Local Coordination.

Responsibilities

Compliance with this policy is mandatory.

Other related documents

- Disability Services Act 1993
- Guardianship and Administration Act 1990
- Carers Recognition Act 2004
- Local Coordination Operational Policy - Plan Development and Plan Changes
- Local Coordination Operational Policy Funded Supports in a Plan - Reasonable and Necessary
- Local Coordination Operational Policy - Safeguarding
- Local Coordination Operational Policy – Ongoing Engagement and Plan Monitoring
- Local Coordination Operational Policy - Review of Plans.

Document control

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Feedback and enquiries relating to this Policy may be directed to programsupport@communities.wa.gov.au .

This document can be available in alternative formats on request.

Amendments

Version	Date	Author	Description
1.0	2002		Based on Family members as Paid Carers Briefing Paper 26/97
2.0	1 February 2012	Scheme Policy & Program Transition Manager	Periodic review following consultation with internal and external stakeholders
3.0	16 August 2017	Scheme Policy & Program Transition Manager	Periodic review to clarify established position and align with the National Disability Insurance Scheme
3.1	22 October 2020	Program Support, State-wide Services, Community Services Division	Review by 22/10/2020