

2025

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

ELEVENTH ASSEMBLY

Standing Committee on Economy and Gender and Economic Equality - Report No. 12

Inquiry into unpaid work

Government Response

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February 2025**

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Introduction

The ACT Government welcomes the opportunity to respond to the report from the Standing Committee on Economy and Gender and Economic Equality, which outlines findings from its Inquiry into Unpaid Work.

The government recognises the economic and social value of unpaid work and its many intersections with participation and wellbeing. Unpaid work requires significant commitment, care and passion that enriches our community and encompasses efforts across diverse spheres, including parenting, unpaid placements for work or study, caring for a family member or friend, and volunteering. This means unpaid work holds the potential to directly or indirectly affect almost every cohort of people in the ACT.

For unpaid carers, the support they provide enables vulnerable people to participate more fully in their community. This unpaid work may support the care recipient to live more independently, access study or employment opportunities, or make social connections, enhancing their wellbeing. The concurrent experience of the carer may be incredibly rewarding, challenging, or a complex mix of experiences that shape and influence their own health, wellbeing and participation.

The ACT Government notes the distinction between unpaid work that is completely voluntary, and other types of unpaid work that become part of a person's life with little or no choice. This important difference was noted in a submission to the inquiry, which sought to 'differentiate between unpaid work and care'.

The government also acknowledges the significant contribution of all unpaid work to the ACT community, and related impacts on wellbeing, participation and social connectedness. The ACT Wellbeing Framework notes that how a person is able – or required – to spend their time is closely linked with issues such as self-determination and a sense of control over life, with people who experience a balanced sense of time use often enjoying greater wellbeing outcomes.

The ACT Government has carefully considered each of the recommendations made in the Standing Committee's report. Of the 10 recommendations, the ACT Government has:

- agreed to one recommendations.
- agreed in-principle to six recommendations, and
- noted three recommendations.

This inquiry's focus on unpaid work helps to value everyone's contributions to their community and the economy. The findings and recommendations provide a good basis to guide efforts to support a strong and vibrant city into the future.

Response to Legislative Assembly Standing Committee on Economy and Gender and Economic Equality Inquiry into Unpaid Work

1. Defining volunteering and unpaid work

Recommendation 1 – The Committee recommends that the ACT Government clearly differentiate volunteering from unpaid work when developing policies.

Government response: Agreed in-principle

The ACT Government agrees in-principle with the recommendation to expressly consider volunteers as distinct from other types of unpaid work when developing policies. This distinction is recognised in various current policies and the existing legislative differentiation applying certain workplace laws and standards to volunteers. When developing, reviewing and updating policies in the future, the ACT Government will consider the relevance of reflecting this distinction in existing policies and legislative frameworks.

Volunteers and Workplace Laws

Legislatively, volunteers are expressly recognised across several workplace laws and standards that apply in the Territory as distinct from other forms of unpaid work. This is, in large part, due to the nature of volunteering, which is typically performed under more formalised arrangements that often require volunteers to perform activities at a workplace. Some of these laws are outlined below.

- *Fair Work Act 2009* (Cth)

While the Commonwealth's *Fair Work Act 2009* broadly governs employment terms and conditions for all employees in the ACT, some workplace protections are afforded to volunteers as workers, even though they are not paid. Volunteers can apply for stop bullying orders within the Federal jurisdiction, as these orders cover the broader meaning of 'worker' as defined by the *Work Health and Safety Act 2011* (Cth).

- *Sex Discrimination Act 1984* (Cth)

The Commonwealth's *Sex Discrimination Act 1984* also expressly extends to volunteers for the protection from sexual harassment and other forms of sex discrimination in the workplace. Again, this utilises the definition of 'worker' under work health and safety legislation.

The ACT also has a range of workplace legislative measures that complement the Commonwealth's national framework, including:

- *Work Health and Safety Act 2011* (ACT) (WHS Act)

The WHS Act recognises volunteers as workers for the purposes of providing healthy and safe workplaces, including obligations on persons conducting a business or undertaking (PCBU). This legislation aims to

ensure volunteers are protected against harm to health, safety and welfare that might arise in relation to activities at a workplace.

- *Workers Compensation Act 1951 (ACT) (WC Act)*

The WC Act sets out the framework for responding to a workplace injury or illness for the purposes of rehabilitation and return to work. The traditional meaning of a worker who may make a claim for compensation to support rehabilitation and return to work has been expanded in the ACT. The broader definition allows for certain volunteers to be considered as workers under the WC Act in the event of a workplace injury or illness. The volunteer types included in the WC Act's definition of 'worker' are trainees, religious workers, commercial voluntary workers and public interest voluntary workers.

- *Human Rights Act 2004 (ACT) (HRA)*

The HRA recognises the right of a person to enjoy their human rights without distinction or discrimination of any kind, to be treated as equal before the law, and to the equal protection of the law without discrimination (section 8).

The HRA also recognises the right to work, to choose an occupation freely, to enjoy just and favourable conditions of work, to join a work-related organisation or union, to be free from anti-union discrimination. The HRA makes clear that these rights should be enjoyed without discrimination (section 27B).

ACT Volunteering Strategy 2024-2034

The ACT Government launched the [ACT Volunteering Strategy 2024 – 2034](#) (Volunteering Strategy) and first [Action Plan 2024-2027](#) (Action Plan) in August 2024. The Volunteering Strategy and Action Plan were developed and co-designed with Volunteering ACT. These documents define volunteering in line with Volunteering Australia's definition as 'time willingly given for the common good and without financial gain'.

The Volunteering Strategy also defines different aspects of volunteering, outlined below.

- **Volunteers:** those who give their time willingly for the common good and without financial gain.
- **Volunteering:** time willingly given for the common good and without financial gain.
- **Formal volunteering:** volunteering that takes place within an organisation or group (including institutions and agencies) in a structured way.
- **Informal volunteering:** volunteering that takes place outside the context of a formal organisation or group. This includes assisting people in the community, excluding one's own family members. Examples include looking after property or pets; providing home or personal assistance; or giving someone professional advice.
- **ACT Volunteering Ecosystem:** a network of people in the ACT who are involved in or connected to volunteering in some way, including helping others to understand, recognise and support volunteering to thrive in our region. They may be doing this as individuals or as part of an organisation, group, institute or agency.

Work is already underway as part of the first Action Plan of the Volunteering Strategy, including:

- reviewing and updating Whole of Government policies in relation to volunteers, including the [Second Jobs and Volunteering Policy](#);
- developing and promoting advice and guidelines in relation to Voluntary Community Leave; and

- considering ways to incorporate volunteering data into the ACT Wellbeing Framework and use it to inform policy development.

ACT Carers Strategy 2018-2028

The [ACT Carers Strategy 2018-2028](#) (Carers Strategy) recognises that carers are an essential part of our community, providing unpaid care for family, friends and neighbours who experience vulnerability due to disability, mental illness, an ongoing health condition, and/or ageing. The Strategy also recognises foster and kinship carers, who care for children who are unable to live with their families.

The *Carers Recognition Act 2021* includes principles for the treatment of carers which broadly cover respect, recognition and support for carers both in their caring role and as individuals with their own needs.

Section 6 (1) of the *Carers Recognition Act 2021* defines the term 'carer' in reference to the 'care relationship'. The term 'care' is defined in the act to mean: 'ongoing support, assistance or personal care'.

Recommendation 2 – The Committee recommends that the ACT Government develop a streamlined, user-friendly online submission portal for not-for-profit incorporated and cooperative registrations, and charitable collections organisations licences.

Recommendation 3 – The Committee recommends that the ACT Government develop online resources on the Access Canberra website to support all volunteer and not-for-profit organisations in complying with regulations and requirements.

Government response: Agreed in-principle

Access Canberra aims to provide simple and easy ways to engage with government through a 'no wrong door' approach, while also ensuring service accessibility through various service channels.

Access Canberra's Business Assist team is available to assist volunteer and not-for-profit organisations to start or grow their services. The Business Assist team provides tailored support to businesses, including information about the regulations and requirements relevant to a specific proposal.

Information on regulation, compliance requirements and application processes for not-for-profit organisations is available across the Access Canberra website as outlined below. There is an opportunity to improve the accessibility and utility of existing information and processes and this is being explored.

The Volunteering Strategy Action Plan also includes an action for government to consider how to improve information sharing and development of resources around the Working with Vulnerable People Scheme.

Charitable Collections

If a charitable collections organisation is registered with the Australian Charities and Not-for-profits Commission (ACNC), it is not required to be licensed in the ACT. For charitable organisations that are not registered with the ACNC, information on applying for a licence in the ACT is available on the [Charitable Collection Licences](#) page of the Access Canberra website. There is an opportunity to upgrade the application process to an online form.

Incorporated Associations

If the charity is also an incorporated association, there are other obligations outlined on the [Incorporated Associations](#) page of the Access Canberra website. The application to incorporate an association is an online form.

Co-operatives

Co-operatives must apply to register their proposed co-operative. Information on registering a co-operative, including the application process, is available on the [Co-operative Registration](#) page of the Access Canberra website.

Recommendation 4 – The Committee recommends that the ACT Government seek to better understand the costs internalised by volunteers and seek to address the barriers to volunteering that these may present.

Government response: Noted - existing government policy

The ACT Government recognises the immense value that volunteering provides to the ACT community and economy. As such, it is important to remove barriers preventing people from volunteering. The [State of Volunteering in the Australian Capital Territory \(ACT\) 2024 report](#) indicates the top three barriers to ACT volunteers volunteering more are: having no time (47.3%), cost (19%) and burnout (12.2%). The top three barriers to ACT non-volunteers engaging in volunteering are: having no time (58%), not being interested in volunteering (18%), and being unsure how/never being asked (18%). The ACT Government also recognises that, in addition to direct financial costs, volunteers also incur costs to their time and energy.

The following steps have been identified within the Volunteering Strategy Action Plan:

- Review and update any relevant Whole of Government policies that refer to volunteers, such as the Second Jobs and Volunteering policy.
- Develop advice and guidelines on Voluntary Community Leave and promote via Whole of Government communications.
- Conduct research into youth and student volunteering in the ACT, with the goal of gaining a 'better understanding of what young people want to get from volunteering, what they need to help them and what is stopping them'.
- Investigate ways to connect more volunteering data to other relevant ACT data collections, including the ACT Wellbeing Framework.
- Coordinate the State of Volunteering Survey in the ACT every three years and share findings with the ACT volunteering ecosystem.

These actions will deepen our understanding of the barriers to volunteering, including cost, and progress work to address these barriers.

The ACT Government also acknowledges the important work being done by Volunteering ACT in reducing barriers to participation in volunteering. VolunteeringACT runs the *Inclusive Volunteering Pathway to Employment* program. This program helps people living with disability or mental health conditions to gain experience and new skills through volunteering, with the goal of this leading to paid employment. The

Inclusive Volunteering Workshop for Organisations provides sessions with organisations involved with volunteers. These sessions discuss all aspects of an inclusive volunteering program, misconceptions, perceived barriers and how best to integrate inclusive awareness and best practices into day-to-day operations.

Recommendation 5 – The Committee recommends that the ACT Education Directorate provide more targeted support to ACT Parents and Citizens Associations to attract and retain more active volunteer members.

Government Response: Noted - existing government policy

The ACT Government continues to recognise the importance of parent-school partnerships through the Strong Foundations reform program. This program includes a key recommendation of strengthening advice and resources for schools to enable stronger partnerships with families and community.

In 2024, the ACT Government reaffirmed its long-standing commitment to the collaborative partnership with the ACT Council of Parents and Citizens Associations (Council) by signing a five-year Deed of Grant. The financial assistance provided through the Deed of Grant aims to promote parent engagement in ACT Government schools and support the Council's goal of retaining more active volunteer members.

The ACT Government notes that the Council surveyed parents and community, as outlined in point 2.47 of the report. This survey identified time, paid work and family commitments as barriers to volunteering. While the ACT Government has no control over individuals' personal circumstances, the ACT Government is committed to continuing this collaborative partnership with the Council. This involves continued promotion of Council resources and events, through relevant communication networks and education websites, and facilitating parent workshops.

2. Unpaid Student Placements

Recommendation 6 – The Committee recommends that the ACT Government continue to work with and advocate to Federal Government to address the ongoing needs of ACT students undertaking mandatory unpaid placements.

Government Response: Agreed

The ACT Government agrees with this recommendation and will continue work to support students undertaking mandatory unpaid placements. This aligns with recommendation 14 from the Australian Universities Accord, which suggested introducing financial support for unpaid work placements. The ACT Government has taken steps locally and in partnership with the Australian Government to support students on placement.

The [Nursing, Midwifery and Allied Health Study Incentive Program](#) offers financial support to new and existing students studying nursing, midwifery and allied health tertiary qualifications at the University of

Canberra and Australian Catholic University. This ACT Government-funded support program will continue through Semester 2, 2026.

The ACT Government has also provided financial contributions to the Study Australia Industry Experience Program, administered by Austrade through Practera. This program supports students to undertake two-week industry projects relevant to their studies.

The ACT Government also notes the potential value in further consideration of the investment required for the critical workforce need of First Nations health professionals. Financial barriers prevent parity in First Nations student participation in higher level education, which is compounded by the financial pressure of required unpaid placements. There is a need to advocate to the Australian Government to equitably address the ongoing needs of First Nations students across all health disciplines within the ACT who undertake mandatory unpaid placements.

3. Caregiving

Recommendation 7 – The Committee recommends that the ACT Government consider introducing a carers recognition card to promote understanding and recognition of carers within the ACT and enable them to access priority services with ACT Government agencies and services.

Government response: Agreed in-principle

The ACT Government agrees in-principle with this recommendation and supports measures that enable carers to more easily access services and supports. The proposed carers card holds potential to help carers when they engage with ACT Government agencies and community services, making it easier to self-identify as a carer.

The ACT Government is committed to carefully scoping this recommendation which will require coordination between multiple ACT Government directorates, including the Community Services Directorate (CSD), the Education Directorate and ACT Health, to explore how the card would be funded and administered. It would also require CSD to work with Carers ACT to develop eligibility criteria and scope options to ensure the card meets the diverse needs of the carer community.

Recommendation 8 – The Committee recommends that the ACT Government seek to better understand the unique challenges faced by carers and look to overcome these barriers by providing targeted support to them. This support could include, for example;

- funding for additional respite resources for carers to access on an ad hoc basis,
- flexible models of respite for recipients with complex needs or behaviours, in partnership with the community sector,
- additional funding to support mental health activities,
- cost-free access to bereavement counselling for carers who suffer loss in their lives.

Government response: Agreed in-principle

The ACT Government agrees in-principle to this recommendation which aligns with the intent of the ACT Carers Strategy. Development of the ACT Carers Strategy was undertaken in partnership with Carers ACT and was informed by consultation through the Carers Voice Panel which included carers of all ages, culturally and linguistically diverse carers, Aboriginal and Torres Strait Islander carers, and carers with disability. This careful consultation allowed the government to better understand the unique challenges faced by carers. Through the ACT Carers Strategy, the ACT Government recognises that carers make a huge and largely unrecognised contribution to the ACT community and seeks to provide support addressing carers' needs.

Carers ACT continues to be the ACT Government's key community partner for carer policy, delivering a range of programs and advocacy with an aim to improve community understanding of the challenges carers experience, addressing these through targeted support. This aligns with a key outcome for the ACT Carers Strategy: enabling carers to take better care of themselves through the provision of more support services and activities, including for physical and mental health.

Carers ACT continues to consult with a diverse range of carers through the Carers Collective consultation group, to better understand their lived experiences, challenges and aspirations. This approach provides flexibility for carers who wish to have their voice heard. Through the Carer Collective, carers from different backgrounds and circumstances, including foster and kinship carers and culturally and linguistically diverse carers have their voices heard and listened to. This ensures that future policy development is underpinned by carers' lived experience.

Carers ACT operates Deakin Cottage and Naraganwali Cottage to provide respite to carers of people who are ageing and/or have dementia. These respite options are open to all ACT seniors or people with early onset dementia, depending on individual care needs. While fees apply, subsidies and flexible payment options are available.

Carers ACT facilitates or hosts numerous programs and peer support groups aimed to improve carers' wellbeing and mental health. These include the Dementia Carers Support Group, the Southside and Northside Mental Health Carer Support Groups, and the Bringing Carers Together Workshop. Carers ACT also connects carers to support services, including in-person and online peer support groups, and counselling.

The ACT Government notes the Committee's comments on unpaid work as it relates to carers with disability. The [ACT Disability Health Strategy 2024-2033: First Action Plan 2024-2026](#) (First Action Plan) includes a focus on eight priority populations, one of which is carers of people with disability. For example, carers are one of the targeted groups for actions around health literacy, which aim to scope and develop a disability health literacy program.

The Government also acknowledges the Committee's comments regarding First Nations caring. The government supports further engagement with Aboriginal and Torres Strait Islander research and advocacy organisations to support a broader understanding of First Nations cultural engagement and concepts of care, particularly care articulated through a First Nations gendered lens. One area of First Nations care the government is committed to understanding better is informal kinship care. This engagement will also enable valuable insights into the support and resources required for First Nations-led care.

Recommendation 9 – The Committee recommends that the ACT Government provide funding for Carers ACT to develop and deliver a mentoring program for young carers.

Government response: Agreed in-principle

The ACT Government notes that young carers are a special group who need specific support and recognition. This is because young carers face the same complex challenges as other carers, while also trying to juggle study or work with their caring responsibilities. From the ACT Carers Strategy's inception, stakeholders and carers agreed that young carers need targeted policy and practice responses.

Young carers may be less likely to self-identify as a carer and, therefore, less likely to receive support. To address this gap, Carers ACT continues to work with young carers to ensure their voices are heard in consultation.

A program to mentor and support young carers bears potential to better support our young carers, particularly if it is evidence-based and delivered in a way that flexibly responds to young carers' needs.

Scoping possible options for a young carers' mentoring program intersects with:

- ongoing work to implement the ACT Carers Strategy
- ACT Government commitments under the *Carers Recognition Act 2021* (ACT)
- the ACT Education Directorate's current efforts to support young carers in ACT Government schools with a whole school approach, including resources to help schools and teachers to support students who are carers.

Carers ACT has proposed a mentoring program to support young carers in balancing education, employment and caring responsibilities. This would connect young carers with experienced mentors who can offer guidance, encouragement and practical advice.

The proposed program would require an options analysis to consider funding and delivery approaches. This would include exploring existing ACT Government programs that incorporate a mentoring component, such as the Audrey Fagan Enrichment Grants and the Solid Ground pilot program delivered by PCYC. A jurisdictional scan would also support this analysis and could include consideration of programs such as Little Dreamers, which operates in Victoria, Queensland and New South Wales and provides mentoring and tutoring for young carers.

Once options are scoped, government will then consider whether and how to implement the proposed mentoring program.

Recommendation 10 – The Committee recommends that the ACT Government enhance public education enrolment and student engagement policies and practices for young carers to enable targeted education and employment supports or referrals to external young carer programs.

Government Response: Noted - existing government policy

ACT public schools ensure young carers are supported to attend school, remain engaged in learning, and have a positive educational experience alongside their peers.

The ACT Education Directorate was responsible for three action items (and contributed to an additional action item) in the first three-year Action Plan under the Carers Strategy. These efforts have shaped how the Education Directorate continues to support students who are young carers.

The Education Directorate supports schools and teachers to identify young carers during the school enrolment process. The online enrolment form – used by families when enrolling children and young people in an ACT public school – asks if students care for or have a person in their care. Educational supports can then be put in place.

The Education Directorate provides information to schools on how to best support young carers through its internal Service Portal, including information on flexible and personalised learning options. The Service Portal also provides guidance and resources on:

- who is a young carer
- signs a young carer may be struggling
- supports available for young carers (both within the Education Directorate and external agencies)
- external agencies, including those that can facilitate respite care, and
- financial assistance and scholarships for young carers.

The Education Directorate recognises CYCLOPS (Connecting Young Carers to Life Opportunities & Personalised Support, Anglicare) as a key support organisation for young carers in the ACT. Schools, young carers and their families can refer to CYCLOPS, which provides case management support including advocacy and onward referrals to other services. CYCLOPS has also supported several schools to establish Young Carer Groups, with the use of its *Making Education Work for Young Carers Toolkit for Schools*.

The Education Directorate is currently working to improve fit-for-purpose methods of engagement to gather student voices from underrepresented groups, including young carers.