



**Productive Ageing**  
PASSION GROWTH EXPERIENCE

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## Intergenerational caring: Current trends in Australian custodial grandparenting

This Research Bulletin is an abridged version of the paper presented by Jean Shepley and Susan Dann of National Seniors Productive Ageing Centre at the International Conference of Intergenerational Programs Melbourne 2006-10-25.

### Introduction

The role of grandparents within contemporary Australian family structures is ambiguous due to the dominance of the nuclear family ahead of the kin linked extended family. Over the past two decades, however, a variety of social trends including increased marital breakdowns, the rise of single parent families and emerging health and social issues have combined to result in many grandparents taking on a substantial role in the rearing of their own grandchildren. Kleiner et al (1998) identify three types of grandparent role in the raising of grandchildren:

- *custodial grandparents* who are those grandparents with legal custody of their grandchildren and who provide daily care and decision making tasks;
- *living with grandparents* who provide daily care but who do not have legal custody thus limiting their decision making capacity on behalf of the grandchildren; and
- *day care grandparents* who focus on helping the child's parent by providing some ad hoc care.

This paper focuses on issues relating to the first two categories, 'custodial' and the 'living with' grandparents.

### Context of Grandparenting

Reasons behind the decision for grandparents to become the primary carers of their grandchildren vary according to family circumstance. The variety of situations leading to custodial grandparenting combined with differing legal, financial and support provisions available across the country means that it is difficult to find common agreement on the definitions of grandparent care. As well as formal arrangements, there are also a large number of informal arrangements for grandchild care within families which makes it very difficult to measure the actual extent of the problem.

Whilst formal arrangements can be classified according to legal definitions of guardianship and so on, informal arrangements are more difficult to classify. Informal arrangements can vary from a few hours a week to almost full time care. Also the extent to which informal arrangements are reported, or even acknowledged as being unusual or difficult to manage, will depend on the perceptions of the family and the other responsibilities of the grandparents.

The primary source of demographic statistics in Australia is the Australian Bureau of Statistics. In recognition of the growing importance of the grandparenting issue, information on grandparents raising grandchildren was formally included in Australian Social Trends for the first time in 2005 (ABS 2005).

Grandparent families in the ABS figures are defined as "families in which the guardians of children aged 0-17 are the grandparents of the children" where a guardian is defined as being "a person aged 15 years and over who is reported as being the guardian or main carer of any child aged 0-17 years, regardless of the existence of any legal arrangement". (ABS 2005). Currently the ABS (2005) estimates that there are approximately 22,500 Australian families, in which grandparents were the guardians of their grandchildren, accounting for 31,100 children.

Grandparent families differ from other families on a number of key characteristics (Table 1). Again as would be expected, grandparents are older on average than other primary carers of children. In addition, the children that they cared for tended to be older and are half as likely to be aged under 4 years (14.8%) compared with other families (38.3%). This trend is reversed in the teenage years with nearly half (47.9%) of grandchildren aged 12 to 17 cared for by grandparents compared with only 25.9% in parent headed households. (ABS 2005)

**Table 1: Comparison of grandparent families and other families on key characteristics**

Characteristics	Grandparent families <sup>1</sup> %	Other families <sup>2</sup> %
<i>Age of younger or lone grandparent/parent</i>		
15-34	-	36.8
35-54	38.7	62.2
55 and over	61.3	0.9
<i>Age of youngest child</i>		
0-4 years	14.8	38.3
5-11 years	37.4	35.8
12-14 years	35.8	13.7
15-17 years	12.1	12.2
<i>Labourforce status of grandparents/parents</i>		
At least one grandparent/parent employed	33.8	85.0
No grandparents/parents employed	66.2	15.0
<i>Main source of income</i>		
Government pension benefit or allowance	63.0	19.9
Other	37.0	80.1

1 Families in which the grandparents are the guardians of children aged 0-17 years

2 All other families with children aged 0-17 years

Source: ABS (2003)

“...the issues facing carer grandparents require substantial policy initiatives and environmental change.”

Another area of significant difference is in labour force status and income stream. As would be expected, grandparents are much less likely to be engaged in paid employment with only one third (33.8%) of grandparent led households having at least one grandparent engaged in the labour force compared with 85% of parent led households. Further grandparents are more likely to be dependent on some form of government pension or allowance with nearly two thirds (63.0%) receiving government benefits compared with only 19.9% of parent led households. This leads to significant financial issues involved in the raising of grandchildren. (ABS 2005)

**Problems facing custodial and living with grandparents**

International research has confirmed that the following key issues consistently emerge for grandparents raising grandchildren:

- financial problems,
- legal concerns,
- health,
- housing,
- education,
- respite care,
- childrearing,
- family communications and relationships,
- special needs of grandchildren, and
- social isolation.

In Australia the two key areas of concern which consistently emerge in relation to Grandparenting are legal and financial issues. Many grandparents believe that ‘most of their major difficulties would disappear if the financial issues were resolved’ while perceived inequities regarding access to grandchildren and to Legal Aid were raised as important legal issues.

**Legal issues**

The legal status of grandparents and the limits of their responsibilities are consistently raised as a significant concern. This confusion is due in a large part to the fact that the legal status of the guardian

grandparent will vary according to the processes by which category the grandchildren have come into their grandparents care. Throughout Australia there are eight different sets of child protection legislation all of which can impact on caregivers.

The three main arrangements under which children come into the care of their grandparents are:

- Commonwealth Family Court Parenting Orders  
There are three categories of parenting order within this jurisdiction: a ‘residence order’ which is a specific issues order determining who has the long term responsibility for the child; or ‘contact order’ which determines who may have access to the child. Decisions made with respect to these orders are binding throughout Australia and are recognised by all States.
- State Children’s Court  
Children’s court care and protection order is given on application from the child protection authorities. Grandparents in this category become foster parents for their grandchildren with all the attendant benefits and responsibilities of a non related foster parent including support from the child protection authorities.
- Ad hoc, informal family arrangements  
Ad hoc and informal family arrangements are the most common way in which grandchildren come into the care of their grandparents. While these arrangements avoid the costs and trauma of formal legal proceedings through the court cases, they do not grant the grandparents any legal rights to the child. Legal responsibility instead remains with the parents.

These arrangements define not only the relationship with the child, but also grandparents’ access to financial and other support. Where the legal position of the grandparents is not clearly defined, grandparents are unable to make

decisions regarding crucial day to day issues such as the children's education and health.

### Financial issues

The financial issues affecting grandparents raising grandchildren fall into three key areas, all of which are interrelated. These are that:

- most allowances available to assist in grandparents' child rearing costs are means tested and therefore are not automatically available to grandparents raising grandchildren.
- there is a perceived inequity in access to parenting resources and assistance between grandparents and other categories of carers, and
- the lifestyle impact particularly on those grandparents in retirement who have not allowed for additional child rearing costs when planning their financial future.

Financially one of the major issues related to custodial and living with grandparents is that, for the most part, there is no recognition of their role as a distinct category of carers. Centrelink allowances and tax concessions originally designed for nuclear families, such as the Family Tax Benefit and Child Care Benefit, are applied to this emerging social group. However, these payments are usually means tested and do not take into consideration the differences between the differing needs of custodial grandparents and nuclear families.

Grandparents who receive a government pension are eligible for some payments, however, these are means tested. Those that are still working or who have made their own provision for their retirement are rarely eligible for financial assistance from the government unless custody of the grandchildren is gained through the State Children's Court.

Another significant category of expense for grandparents is legal costs particularly for those grandparents who need to attend court to gain or retain control of their grandchildren. Access to legal aid is also means tested. Those grandparents on moderate incomes including those still working, bear the full cost of legal representation leading to additional financial hardship.

### Value of grandparents as carers

A fundamental intergenerational relationship in all societies is that which exists between grandparents and their grandchildren. In Australia the number grandparent led families has risen from 12,000 in 1997 to 22,500 in 2005. The following factors are seen as the main causes driving the increase in grandparent led families:

- parental substance abuse,
- teen pregnancy,
- AIDS,
- unemployment, and
- incarceration.

Despite the problems inherent in grandparents taking over child rearing responsibilities, a kinship care arrangement is desirable for a number of reasons. Key amongst these is the fact that children are able to maintain a relationship with their extended family and consequently have more interaction with their birth parents. Seventy five per cent of children living in grandparent led families reported some contact with their parents with over a third (37%) having face to face contact

on a least a fortnightly basis.

The Australian Family Law Act acknowledges that children have the right to spend time on a regular basis with and communicate on a regular basis with, both their parents and other people significant to their care, welfare and development (such as grandparents and other relatives). There is wide spread support for the placement of 'in need' grandchildren with their grandparents or other kin in preference to placing them with strangers or in institutional care.

This principle is also endorsed by non profit and government organisations such as the Australian Foster Care Association (AFCA). However, it must be acknowledged that the decision to take on a formal care role for grandchildren is not always the preferred option of the grandparents. In some cases grandparents reluctantly take on the responsibility of grandchildren as they fear the consequences for the grandchildren if they do not.

### Equity and access to support

Both foster parents and grandparents take on similar child rearing responsibilities for children who are not their own however access to services and support differs significantly. A major area of perceived inequity revolves around the differing treatment of foster parents, who may or may not be related to the children in their care, compared to grandparents. Foster parent organisations correctly point out that the costs both emotional and financial in bringing up children are substantial and consequently foster parents receive financial assistance to cover the basic costs of child raising.

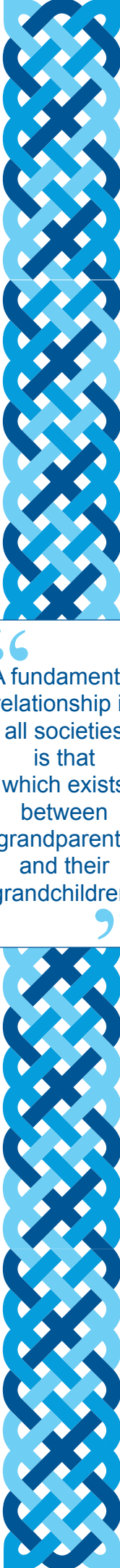
Grandparents in the similar care roles do not usually automatically receive financial assistance. Due to the uncertainty involved in court processes many grandparents take on the role of carer on an informal basis. As a result many are using money set aside for their retirement and face significant hardship as this additional expense was not factored into their original financial plans.

Public policy needs to reflect the widespread institutional support of grandparents as a preferred care option in cases of crisis or family breakdown while acknowledging the significant legal and financial consequences that grandparents face if they agree to take on this responsibility. There is a very real need to reassess the provision of services to grandparents who take on a significant role in raising grandchildren.

### Downstream and upstream policy perspectives

Solutions to the problems faced by carer grandparents can be approached from two different perspectives. Referred to as "downstream" and "upstream" approaches, downstream policies and programs refer to those which focus on individuals while upstream policies focus on changing the broader environment in which grandparenting occurs.

From the downstream perspective, the types of programs designed to help grandparents at an individual level include educational or training programs focussed on topics such as understanding contemporary approaches to discipline, communicating with young people or



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alternatively grandparent focussed support in areas such as stress management or respite care. There has been a significant increase in the number of downstream programs available for grandparents in recent years.

However, whilst in specific cases these may be of value, overall the issues facing carer grandparents require substantial policy initiatives and environmental change. Consequently they need to be tackled at a societal rather than individual level and focus on an upstream rather than downstream approach.

As discussed, grandparents who take on the responsibility for raising their grandchildren often find themselves in a difficult legal and financial position. There is a strong argument that grandparents should be considered a separate category of carers for policy purposes, particularly in terms of access to children in the first instance.

If this is not possible, an alternative approach is to maximise equitable treatment by ensuring that grandparents are treated the same as alternative carer categories, particularly with respect to access to financial and legal assistance. In other words, grandparents as a carer category should be acknowledged but mainstreamed to ensure equal access to services.

Progress has been made in this regard with recent policy changes waiving the work, training and study tests for grandparents who are primary carers which enables them to access up to 50 hours of Child Care Benefit. This is a step in the right direction but it still falls a long way short of the changes which are needed to provide an equitable solution to the problems facing custodial grandparents.

### Implications for Research and Policy

For the benefit of both the children and community it is important that public policies assist, rather than hinder, grandparents who take on full time care for their grandchildren. Whilst the circumstances that bring these two generations together vary according to different family situations, consistent issues emerge. These issues not only have an adverse impact on grandparents as individuals in terms of health, finances and legal concerns, but also have the potential to impair the development of high quality cross

generational relationships.

Developing standardised, comprehensive and equitable programs which recognise the increasingly important role grandparents play in bringing up the younger generation requires systematic intervention by all levels of government. While downstream approaches focussed on alleviating individual problems are valuable, improved living conditions are more achievable when a combined upstream and downstream approach is adopted. Specifically governments need to address the perceived and actual inequities faced by grandparents, in comparison with other carer groups in terms of access to financial assistance and other services.

In the initial stages of this research two underpinning issues affecting the quality of life for carer grandparents and their grandchildren were identified. These were legal and financial issues. Financial difficulties are ongoing when incomes designed for individuals or couple in old age need to be stretched to take on family demands. The most basic need of grandparent families is financial security closely followed by the ability to respond to legal challenges to their custody arrangements.

To date policy responses to the changing family situation have been limited. With the growth in numbers it is becoming increasingly possible that if more assistance is not given to carer grandparents alternative care arrangements will need to be made. As there is a limited number of foster carers the state will be faced with finding new or resorting to old arrangements such as group home situations unless comprehensive cross generational approaches are developed to facilitate the care of children in need by their grandparents.

Based on the concerns raised by grandparents in prior studies combined with similar issues being raised internationally, policy solutions aimed at supporting the growing numbers of grandparent led families need to be based on the following two key principles: recognition of grandparents as a special category of carers for issues of access and the normalisation, or mainstreaming, of grandparents as carers when it comes to access to financial and other support to ensure equity with other carer groups.

## National Seniors Productive Ageing Centre

National Seniors Productive Ageing Centre (NSPAC) was established by National Seniors in 2002, in partnership with the Australian Government Department of Health and Ageing and the University of the Sunshine Coast.

The Centre's annual program consists of consumer research and policy forums, cross-sectoral research collaborations, development of productive ageing research products and innovative use of a range of media to disseminate research widely.

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