

Improving the Public Trustee



Public Trustee

Every moment counts

Opening Hours
Monday to Friday

9.00am - 5.00pm



Wills

Estate Administration
Enduring Power of Attorney

Enduring Guardianship

Administration

Administration

The Public Trustee of Tasmania has made significant progress implementing the recommendations of the independent review of the operations of the Public Trustee.

The report contained 28 recommendations, which the Public Trustee and the Government fully supported. We have implemented 15 of the recommendations, with 8 recommendations in progress and due to be completed within the next 12 months.

The last 12 months have been about consolidation with a focus on improving the client experience. The Public Trustee has commenced a staff recruitment drive to significantly reduce caseloads levels from 100 to 150 clients down to 50 clients per Client Account Manager.

Reduced caseloads and other Government initiatives will significantly improve the experience for our clients. This will also help support our hardworking and dedicated staff at the Public Trustee who perform both an important and challenging role.

In addition to the legislative changes, the Government has been working with the Public Trustee to introduce changes to the Ministerial Charter, Statement of Corporate Intent, and the Client Service Obligation Agreement to provide the necessary focus and support to drive improved outcomes.

We have been engaging and building strong and committed relationships with stakeholders. Client and Stakeholder reference groups have been established and we are actively working together to implement the recommendations as well as developing a common approach for supported decision-making.

I would like to take this time to acknowledge and thank those clients that are part of these groups as well as the following organisations.

- Anglicare
- MultiCap Tasmania
- Bapcare
- COTA Tas
- North West Support Services
- Office of the Public Guardian
- Health Consumers Tasmania
- Palliative Care Tasmania
- SpeakOut Advocacy
- TasCoss
- Tasmania Legal Aid
- Tasmanian Health Service

The Public Trustee has also commenced work in the community providing information and education sessions around the key services we provide not only for clients appointed through the guardianship stream but also assisting Tasmanians with Wills, estate planning, deceased estate administration, and managing trusts.

If you would like to discuss the important work the Public Trustee does and how we are improving our services, I would welcome an opportunity to talk to you. Please call 1800 068 784 to make an appointment.

I look forward to keeping you updated on further progress.

Todd Kennedy
Public Trustee CEO

Progress update on the independent review recommendations.

REF.	RECOMMENDATION	RESPONSIBILITY	STATUS
1.1	The TASCAT ensure that hearings are held for the granting of all emergency orders and explain the emergency order process and outcome to the subject and his or her family and support group. (pg 27)	TASCAT	✓
1.2	The TASCAT update the Annual Report pro forma for Administrators to include a report on section 57 duties and outcomes. (pg 27)	TASCAT	✓
1.3	The Attorney General introduce legislation to amend the Guardianship and Administration Act 1995 in advance of implementing the recommendations of the TLRI: (pg 27) to enable TASCAT to examine the extent of a conflict of interest. I suggest adopting the provisions in the WA Legislation; and consider at the same time a minor amendment of the appeal provisions of the Act to incorporate the WA provisions.	Tasmanian Government	In progress
2.1	Review communications across all fields of work of the Public Trustee; (pg 29)	Public Trustee	✓
2.2	Consider the levels of service/communication required for represented persons and implement them; (pg 29)	Public Trustee	In progress
2.3	Consider the appropriateness of the CAMs pooling model and settle performance standards; (pg 29)	Public Trustee	✓
2.4	Train all staff on record keeping, particularly accurate inventory recording when the Public Trustee takes possession of property; and (pg 29)	Public Trustee	✓
2.5	Consider its resourcing requirements for CSO clients in the context of the next CSO Agreement. (pg 29)	Public Trustee / Treasury	✓
3.1	Improve its file management practices and recording, including resubmit/reminders; and (pg 30)	Public Trustee	In progress
3.2	Review filing separation between the legal section and operational filing for the same matter. (pg 30)	Public Trustee	In progress
4.1	The Public Trustee develop appropriate information and presentations so that the Tasmanian community understands the various roles and powers of the Public Trustee especially in areas of managing a represented person's estate and when entering an aged care facility and more generally about the Trustee's powers when administering a represented person's affairs. (pg.31)	Public Trustee	✓
5.1	The Public Trustee engage with stakeholders and implement a Customer Reference Group to assist in the development of appropriate service initiatives and improve its services to clients. (pg 31)	Public Trustee	✓
6.1	Develop a customer centric model to support the journey of all Public Trustee clients with a focus on delivering best practice in the industry so that Tasmanians feel secure in their engagement whether that be as a represented person, executor or administrator of last resort; (pg 32)	Public Trustee	In progress
6.2	Provide training to staff about customer service standards and appropriate expectations as a professional trustee; (pg 32)	Public Trustee	Supported - subject to completion of the review under 6.1.
6.3	Implement a program of training for client account managers that covers the policies and procedures of the Public Trustee to better support staff; and (pg 32)	Public Trustee	✓
6.4	Develop a policy to be able to identify and triage complex matters including legal/commercial and to obtain appropriate advice to avoid delays in the administration of estates; and (pg 32)	Public Trustee	✓
6.5	Expand management reporting to the Board to include a regular Board report on compliance with administrator obligations under the Guardianship and Administration Act 1995; and Include in the report under 6.5 a separate section which addresses performance against best practice standards for administrators. (pg 32)	Public Trustee	In progress

REF.	RECOMMENDATION	RESPONSIBILITY	STATUS
7.1	The Government appoint the Disability Services Commissioner to an oversight role for represented persons with a grievance. (pg 33)	Tasmanian Government	Supported in principle - subject to appointment of Disability Services Commissioner.
C1.1	The Attorney General and Treasurer update the Public Trustee's Ministerial Charter to reflect their expectations in respect of CSO and represented person clients and the management of funds held in trust. (pg 41)	Tasmanian Government	✓
C1.2	The Public Trustee include in its Statement of Corporate Intent performance measures relating to: (pg 41) trustee industry financial performance targets; its obligations under the Guardianship and Administration Act 1995 Act to represented persons in respect of promoting their independence and communication in respect of their wishes; client satisfaction with CSO delivery; and its obligations under the Public Trustee Act 1930 as a manager of trust funds.	Public Trustee	✓
C3.1	The Treasurer request the Tasmanian Economic Regulator to undertake a review of the Public Trustee's fees and charges for those clients who are required by legislation to use its services. (pg 53)	Tasmanian Government	Supported in principle - subject to further consideration of the most appropriate and timely mechanism for the review.
C3.2	The Public Trustee match the fees charged to represented persons with those in the Northern Territory. (pg 53)	Public Trustee	Supported in principle - subject to completion of the review under C.3.1.
C3.3	The Public Trustee keep the Treasurer informed on the status of its request for a GST exemption for represented person fees. (pg 53)	Public Trustee	✓ GST exemption declined by ATO
C4.1	The Attorney General and the Treasurer review the scope of the CSO services purchased from the PT where there appears to be private sector provision such as for the administration of estates under \$60k. (pg 60)	Tasmanian Government	✓
C4.2	The Public Trustee include performance indicators relating to the quality of client service provided in the next CSO agreement. (pg 60)	Public Trustee / Treasury	✓
C4.3	The Attorney General and the Treasurer fully fund the Public Trustee's net avoidable costs of service provision in the next CSO agreement, with funding escalation to reflect demand growth. (pg 60)	Public Trustee	In progress
C4.4	The counterparty to the next CSO agreement should be the Minister for Community Services supported by the proposed Tasmanian Disability Commissioner. (pg 60)	Tasmanian Government	Supported in principle – counterparty for interim CSO Agreement remain unchanged at this time
C6.1	The Attorney General and the Treasurer retain the existing GBE model for the Public Trustee and use the performance framework in the Government Business Enterprises Act 1995 to improve service delivery to its CSO clients and represented persons. (pg 74)	Tasmanian Government	In progress

If you have any questions or would like to find out how the Public Trustee can help you, please call 1800 068 784 or visit publictrustee.tas.gov.au



CALL US ON 1800 068 784 VISIT US AT www.publictrustee.tas.gov.au

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