



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Jeremy Hanson MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair),  
Ms Jo Clay MLA

**Inquiry into ACT Budget 2021–22**  
**ANSWER TO QUESTION ON NOTICE**

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Asked by Jo Clay MLA on 22 October 2021:

**Ref: Public Trustee and Guardian, Justice and Community Safety Directorate, Attorney-General,  
PTG Statement of Intent, Budget Statement D Page 89**

In relation to:

Managers appointed by ACAT who must file accounts with the Public Trustee and Guardian for examination each year.

- 1) How many managers filed accounts for an examination with the public trustee and guardian in the past 12 months?
- 2) How many examinations did you complete in the past 12 months?
- 3) How many managers have an outstanding examination, in which they have filed accounts in the past 12 months, but you have not completed the examination?
- 4) What is the average length of time you take to conduct an examination once accounts are filed?
- 5) What was the total value of assets subject to examination across all managers in the past 12 months?
- 6) How many of your examinations in the past 12 months found a discrepancy?
- 7) What action did you take where you found a discrepancy and what was the outcome?
- 8) How many managers filed accounts for an examination in each year in the past 5 years?
- 9) How many examinations did you complete in the past 5 years?
- 10) How many managers have an outstanding examination, in which they have filed accounts in the past 5 years, but you have not completed the examination?
- 11) What was the total annual value of assets subject to examination across all managers in the past 5 years?
- 12) How many of your examinations in the past 5 years found a discrepancy?
- 13) How many people are currently subject to an ACAT appointment as a manager?

- 14) What system is in place to ensure that a manager who has been appointed by ACAT files accounts for examination?
- 15) What is the name of the ICT system you are currently using?
- 16) Does this ICT system allow you to perform your role efficiently? If not, on what date did you last have a functional ICT system, and on what date will you next have a functional ICT system?

Andrew Taylor: The answer to the Member's question is as follows –

- 1) 540 Managers filed accounts during 2020-21 reported year.
- 2) 688 examinations of Managers accounts were completed in the 2020-21 reported year.
- 3) 157 Managers had an outstanding examination, in which they have filed accounts in the past 12 months, but PTG had not completed the examination. All examinations are currently up to date.
- 4) Average time to examine including administration (checking paperwork, emails reply to Manager, copy/scan, record) and conducting the examination (including report to Manager and ACAT) - 1 hour and 45 mins
- 5) PTG has no record of the total value of assets subject to examination.  
In undertaking its statutory role under S.27 of the *Guardianship and Management of Property Act 1991* (GMP Act), PTG deals with Private Managers on an individual basis and not as a cohort. PTG's role is not a regulatory one and we do not record the total of all represented person's assets.  
PTG is in the process of building a Customer Relationship Management System (CRM). As part of this, a Private Manager's Module is to be developed within the next 12 months. The nature of a CRM may allow PTG to determine the total value of all assets owned by represented persons, whose accounts are examined by PTG.
- 6) How many of your examinations in the past 12 months found a discrepancy?  
PTG did not find any discrepancies to report to ACAT during the past 12 months, however PTG found 17 discrepancies during the 2019-20 reported year.  
During the last few months, PTG has been able to secure an amendment to S.66 of the *Public Trustee and Guardian Act 1985*, to permit PTG to require the production of information or documents from an individual pertinent to the exercise of PTG's functions. This now allows PTG to require information to be provided in respect to the prescribed documents under S.26(1) of the GMP Act and listed at Regulation 6 of the *Guardianship and Management of Property Regulation 1991*. This better enables PTG to conduct examinations.
- 7) When PTG identifies a discrepancy, it may take either or both of the following actions –
  - Raise a query with the Private Manager to clarify or resolve the issue; and/or
  - PTG may apply to ACAT for disallowance of any item in the accounts. PTG must do this by listing the matter for hearing.
- 8) During the past five years managers filed accounts for examination as follows –
  - 2020/21 – 540
  - 2019-20 – 594

- 2018-19 – 550
  - 2017-18 – 508
  - 2016-16 – 286
- 9) PTG completed the following examinations in the past five years –
- 2020-21 – 688
  - 2019-20 - 453
  - 2018-19 – 455
  - 2017-18 – 508
  - 2016-17 - 285
- 10) How many managers have an outstanding examination, in which they have filed accounts in the past 5 years but you have not completed the examination?
- 2020-21 – 157
  - 2019-20 – 301
  - 2018-19 - 229
  - 2017-18 – not compiled
  - 2016-17 – not compiled
- 11) Refer response to 5) above. PTG does not currently record this information.
- 12) How many of your examinations in the past 5 years found a discrepancy?
- 2020-21 – Nil
  - 2019-20 – 17
  - 2018-19 – 22
  - 2017-18 – Not compiled
  - 2016-17 – Not compiled
- 13) There are two categories of appointments of manager by ACAT –
- Appointment of an individual.
  - In the event that a suitable individual has not consented to be appointed, ACAT may appoint PTG as Manager.
- At 30 June 2021, PTG was appointed as Manager for 507 represented persons and it is estimated there were a further 900 represented persons for whom a Private Manager was appointed.
- 14) Prior to February 2021 ACAT would send reminders out to managers to notify them of their duty to file accounts for the period, PTG would receive a copy of the letter and follow up if nothing was received. ACAT decided that this was not necessary to send out the reminders and if PTG wished to continue this practice it moved was their responsibility. Once PTG's CRM module is in production PTG will recommence this practice.
- 15) PTG currently uses a combination of TACT and spreadsheets to undertake its role of examining accounts filed by Private Managers. Within the next 12 months, this will be replaced by a dedicated Private Manager module in PTG's Microsoft Dynamic 365 CRM as part of a bespoke PTG business system.
- The systems currently in use have allowed PTG to undertake its role efficiently. During the past three months PTG has also agreed with ACAT that PTG will assume the role of onboarding and managing the obligations of Private Managers. This function will be built into the CRM module and will allow PTG the enhanced functionality that this technology brings including –
- Simplified Precedent Letter Module to remind and pre-fill letters

- Enhanced management oversight of workloads
- Enhanced statistical and KPI reporting (new Management KPI's are currently being established)
- Workflow management.

16) Whilst the current systems have been efficient in the past, PTG is looking for enhanced functionality and efficiency through its CRM. The CRM Module will bring enhanced efficiency. It is estimated this the Private Manager Module will be functional in the next 12 months.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

Date:

By the [Commissioner/Officer for .....], [name of Commissioner/Official]