

## 8. Appendices

### (I) ACCOUNT PAYMENT PERFORMANCE

#### PAYMENT PERFORMANCE INDICATORS

Schedule of Accounts Payable	Qtr Ended Sept 2003	Qtr Ended Dec 2003	Qtr Ended March 2004	Qtr Ended June 2004
	\$,000	\$,000	\$,000	\$,000
Current	-	-	-	212*
Less than 30 days	-	-	-	-
Overdue 30-60 days	-	-	-	-
Overdue 60-90 days	-	-	-	-
Overdue more than 90 days	-	-	-	-
<b>Totals</b>				<b>212</b>

\* Represents accruals at the end of the financial year; invoices received after cut-off date for payment of invoices.

Schedule of Paid on Time	Qtr Ended Sept 2003	Qtr Ended Dec 2003	Qtr Ended March 2004	Qtr Ended June 2004
	\$,000	\$,000	\$,000	\$,000
Accounts paid on time	2,601	3,431	2,488	6,496
Total accounts paid	2,630	3,474	2,573	6,537
% accounts paid on time	98.90	98.76	96.70	99.37
Target % paid on time	99.90	99.90	99.90	99.90

#### REASONS FOR LATE PAYMENTS

Not applicable.

individual needs of the client and, accordingly, a female client's participation is personalised according to her identified needs.

#### INTEREST PAID DUE TO LATE PAYMENTS

Nil

Five of the ten members of the Advisory Council are women as is one member of the Investment Advisory Committee. Although the individuals on the Disability Interagency Committee are chosen by the organisations they represent, OPC is fortunate to have a balance between males and females in this forum. This enables women to have a high level of involvement in providing independent strategic advice and ongoing feedback to the Protective Commissioner.

### (II) ACTION PLAN FOR WOMEN

The Action Plan states that all areas of NSW Government must take responsibility for women's full economic and social participation in a fair society, by integrating the needs and concerns of women into agencies' every day work. OPC services are tailored to the

### **(III) BUDGET (OPERATING) 2004-2005**

OPC has its budget approved by the Director General of the Attorney General's Department.

	2004-2005 Budget \$'000	2003-2004 Actual \$'000
<b>Operating Revenues</b>		
Investment Income	500	554
Registry Fees	0	168
Court Directions and Supervision Fees	700	698
Income and Capital Commission (Note 1)	0	475
Management Fees (Note 1)	13,000	10,800
Investment Fund Fees (Note 1)	5,700	4,113
Government Funding	8,488	9,000
Fees - additional services to clients	0	220
Fee for provision of Taxation Service	0	42
Financial Planning Fees	0	31
OPC Services to OPG	179	204
Profit on Sale of Assets	0	8
Transfer under Former Sect 55 (1)(c) of the Protected Estates Act	0	3,386
Miscellaneous Income	0	59
<b>Total Revenue</b>	<b>28,500</b>	<b>29,758</b>
<b>Operating Expenses</b>		
Salary & Related	17,997	16,810
Operating Expenses	5,624	4,942
Maintenance	803	794
Depreciation	1,972	1,987
<b>Total Operating Expenses</b>	<b>26,396</b>	<b>24,533</b>
<b>Surplus/(Deficit)</b>	<b>2,171</b>	<b>5,225</b>
<b>Capital Revenues</b>		
Transfers under Sect 55 (1)(c) of the Protected Estates Act	-	-
<b>Total Capital Revenue</b>	<b>-</b>	<b>-</b>
<b>Total Capital Expenditure</b>	<b>1,352</b>	<b>934</b>

*Note 1. OPC has fully outsourced its Investment Funds. The costs of doing so were \$0.251m.*

*\* These figures are for OPC exclusively. The financial statements which follow in this report include the operations of OPG.*

### **(IV) CODE OF CONDUCT AND ETHICS**

OPC is covered by the NSW Attorney General's Department (AGD) Code of Conduct. There were no changes to the AGD Code of Conduct during this reporting period.

### **(V) CONSULTANTS**

OPC did not engage any consultants in 2003-2004.

### **(VI) DISABILITY PLAN**

OPC has continued to implement the AGD Disability Plan. OPC has consulted with disability groups to assess the impact of proposed changes for the broad range of people with disabilities.

OPC staff continued to participate in Disability Awareness Sessions offered through the AGD Corporate Development & Training and Flexible Service Delivery Program.

OPC continues to provide reasonable workplace adjustment for 18 staff with a disability. These adjustments included provision of appropriate ergonomic equipment and modifications to the workplace based on the advice of the Commonwealth Rehabilitation Service.

Initiatives developed through the Flexible Service Delivery project have become OPC's general practice.

## **8. Appendices**

*(Disability Plan Cont'd)*

In planning for the relocation to 144 Clarence Street, the needs of clients with a range of disabilities were incorporated into both the choice and design of the new premises. OPC will be moving into these premises in the next financial year.

### **PRIORITIES FOR 2004-2005 ARE:**

- \* Conducting a client survey based on the 2002 survey. The survey questions will be further simplified where possible to improve the ease of client responses.

### **(VII) ELECTRONIC SERVICE DELIVERY**

OPC has implemented a number of electronic service delivery systems to improve the efficiency and cost effectiveness of those services it delivers both internally and to external stakeholders.

In September 2003, the electronic services were extended to include the use of the Westpac Banking Corporation's "Pay Deduct" software facility. This enables OPC to streamline payment processes for utilities through electronic delivery of account information and payment.

In December 2003, OPC introduced Electronic Funds Transfer for corporate payments.

### **(VIII) EQUAL EMPLOYMENT OPPORTUNITY**

OPC's employment equity strategies are detailed in the EEO Strategic Management

Plan of the Attorney General's Department.

The Outcomes to be achieved through this Plan fall into nine outcomes areas:

1. Sound Information Base
2. Employee Views are Heard
3. Integration of EEO outcomes into our planning
4. Non discriminatory policies and procedures
5. Needs Based Programs for EEO Groups
6. Managers and Employees Informed, Trained and Accountable
7. Workplace Culture Displaying Fair Practices and Behaviour
8. Improved Employment Access and Participation by EEO Groups
9. A diverse and skilled workforce

The AGD Management Plan categorises activities to achieve these outcomes into:

- 1. Ongoing Programs and Practices - things we will continue to do well**
  - \* OPC has an accurate and complete EEO statistical data base, with 100% completion of EEO survey data.
  - \* OPC provides all exiting staff with the opportunity to comment on their employment experiences at OPC by means of exit questionnaires and/or interviews.
  - \* EEO outcomes and priorities are considered in the development of OPC's Business Plan.
  - \* Flexible Working Practices are available to all staff to promote and support EEO outcomes and assist staff in balancing their work and family commitments

- \* OPC has five Aboriginal and Torres Strait Islander (ATSI) staff and 3 identified ATSI positions. These staff are supported in their active membership of the Department's Equity Network and meetings/conferences.
- \* All OPC managers have specific EEO responsibilities included in their position descriptions and have been trained in providing constructive feedback to staff having regard to EEO issues/considerations.

**2. Building on Our Achievements - New Initiatives in Equity & Diversity**

- \* Staff and managers have been trained in the prevention of workplace harassment and procedures for investigating harassment within the workplace.
- \* The Financial Services (Client) Branch of the Finance and Investment Division includes a high representation of NESB staff. As part of the restructuring of the Division, generic position descriptions were developed to facilitate multi-skilling of

these staff to enhance career prospects.

**PRIORITIES FOR 2004-2005**

- \* Promote and facilitate relevant staff to become members of the Department's Equity Networks.
- \* Continue to promote the Community Language Allowance Scheme.
- \* Continue to promote and monitor the use of flexible work practices.
- \* Ensure the inclusion of EEO accountabilities in position descriptions as appropriate.
- \* Use non-mainstream media to advertise vacancies to reach people with a disability, Aboriginal and Torres Strait Islander people and ethnic communities.
- \* EEO accountabilities included in PP&D work plans and performance reviews at all management levels.
- \* Monitor, analyse and report on grievances lodged and exit questionnaires.

**TABLE A. TRENDS IN THE REPRESENTATION OF EEO GROUPS<sup>1</sup>**

EEO Group	% of Total Staff <sup>2</sup>				
	Benchmark or Target	2001	2002	2003	2004
Women	50%	56%	55.7%	58.9%	58.6%
Aboriginal people and Torres Strait Islanders	2%	2%	1.7%	2.4%	1.9%
People whose first language was not English	19%	35.6%	35%	36.3%	36%
People with a disability	12%	8.3%	10.5%	10.8%	11.5%
People with a disability requiring work-related adjustment	7%	5.5%	6.8%	7.2%	7.7%

## 8. Appendices

(Equal Employment Opportunity Cont'd)

**TABLE B. TRENDS IN THE DISTRIBUTION OF EEO GROUPS<sup>1</sup>**

EEO Group	Distribution Index <sup>3</sup>				
	Benchmark or Target	2001	2002	2003	2004
Women	100	100	107	125	118
Aboriginal people and Torres Strait Islanders	100	NA	NA	NA	NA
People whose first language was not English	100	44.7	42	45.3	49.48
People with a disability	100	9.9	11.8	12.3	18.32
People with a disability requiring work-related adjustment	100	NA	NA	7.6	8.75

**Notes:**

1. Staff numbers are as at 30 June.

2. Excludes casual staff.

3. A Distribution Index of 100 indicates that the centre of the distribution of the EEO group across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be more concentrated at lower salary levels than is the case for other staff. The more pronounced this tendency is, the lower the index will be. In some cases the index may be more than 100, indicating that the EEO group is less concentrated at lower salary levels. The Distribution Index is automatically calculated by the software provided by ODEOPE. The distribution Index cannot be used for EEO groups where the number of staff in the EEO group is less than 20. For this reason some categories are shown as NA.

### **(IX) ETHNIC AFFAIRS**

#### **ETHNIC AFFAIRS POLICY**

OPC is committed to providing appropriate services to meet the individual needs of all clients.

#### **ETHNIC AFFAIRS PRIORITY STATEMENT (EAPS)**

Office of the Protective Commissioner manages clients' finances to meet their individual needs. This means that a client's cultural requirements are integral to the task of making substitute financial decisions.

To help OPC improve their ability to deliver services to a culturally diverse client group, they increased the number of staff receiving the Community Language Allowance this year from two to fourteen staff members. OPC can now offer language assistance in twelve community languages.

A further 16 clients were offered language assistance using the Telephone Interpreter Service. OPC continues to engage professional interpreters to interpret and translate for clients and their family members. During this financial year this occurred on 148 occasions.

OPC staff participated in a series of disability service provider workshops to improve accessibility for the Bosnian, Macedonian and Serbian Communities. The workshops provided the opportunity to clarify OPC's role with a range of community health professionals and service providers. Further, it is hoped that these workshops will lead to more community based activities in regional areas to reach these cultural groups. The community groups plan to develop a service directory for each of these community groups which will include a description of OPC's role and function.

OPC continued to encourage clients and others to seek interpreting assistance if required by including a panel in 21 community languages on all new brochures.

Community Education sessions were conducted for groups which included participants from non English speaking backgrounds and the Greek Community.

**PRIORITIES FOR 2003-2004 INCLUDE:**

- \* Improve data on the client information system to allow reporting on the number of clients requiring interpreters and the range of languages represented
- \* Continue to increase awareness of the role and functions of OPC among community groups from non-English speaking backgrounds
- \* Review the need for publications in languages other than English

**(X) FREEDOM OF INFORMATION**

The *Freedom of Information Act 1989* provides a formal mechanism for members of the public to access particular information about government bodies.

In 2003-2004 the Freedom of Information Coordinator's role at OPC was performed by the Director, Corporate Services. This provides a high level organisational focus aimed at ensuring that all requests for information are handled promptly and in accordance with legislative obligations.

In 2003-2004 there were ten formal applications lodged under the Freedom of Information Act 1989 which is a decrease of seven from the previous year. Two applications were carried forward from 2002/03. Full access was granted in ten cases. Two matters resulted in decisions to decline access to the information sought. Ten applications were processed within 21 days of receipt. Two hundred and twenty five dollars (\$225) was received in application fees. There were no requests for internal review of decisions made under the Act.

Members of the public who would like to make a Freedom of Information application may contact the Office of the Protective Commissioner FOI Coordinator.

Nature of application	Application fee
Access to personnel records	\$ 30
All other requests	\$ 30

## 8. Appendices

(Freedom of Information Cont'd)

Freedom Of Information (FOI) Requests	2003/2004	2002/2003
New (including transferred in)	10	17
Brought forward	2	0
Total to be processed	12	0
Completed	12	17
Withdrawn	0	0
Total processed	12	17
Unfinished	0	0
<b>Result of FOI Requests</b>		
Granted in full	10	9
Granted in part		3
<b>Ministerial Certificates Issued</b>	0	0
<b>Number of Requests Requiring Formal Consultation</b>		
<b>Notation of Personal Records</b>	0	0
<b>FOI Requests Granted in Part or Refused</b>	2	5
<b>All Completed Requests - FOI fees Received</b>	\$225	\$410
<b>Type of Discount</b>		
Financial hardship, pensioner, public interest, other	\$45	\$90
<b>Days to Process - Elapsed Time</b>	<b>2003/2004</b>	<b>2002/2003</b>
0-21 days	8	17
22-35 days	4	Nil
<b>Total</b>	12	17
<b>Processing Hours</b>		
0-10 hours	11	17
11-20 hours	1	
<b>Total</b>	100 hrs	Not available

### (XI) STATEMENT OF AFFAIRS

#### Description of the Structure and Functions of the Office of the Protective Commissioner

The Protective Commissioner is appointed under the Protected Estates Act 1983, by the Supreme Court, Guardianship Tribunal, Mental Health Review Tribunal or a Magistrate, to provide financial management to the people of New South Wales who have a disability or incapacity and are in need of financial management.

#### OPC's functions comprise of six (6) main categories which are set out below:-

- 1) For persons who are unable to manage their own financial affairs and in respect of whom some formal management order or request has been made:-
  - (a) to provide an efficient, effective and appropriate estate management service; or
  - (b) supervise the provision of such a service by an appointed manager
  
- 2) Facilitate the provision of these services in co-operation and co-ordination with the:
  - (a) Supreme Court;
  - (b) Guardianship Tribunal;
  - (c) Mental Health Review Tribunal;
  - (d) Office of the Public Guardian;
  - (e) personnel within the health system generally and psychiatric hospitals and units in particular including visiting Magistrates; and
  - (f) the Department of Ageing, Disability and Home Care
  
- 3) Provide a registry service to the Equity Division - Protective of the Supreme Court

- including the holding of preliminary hearings
- 4) Maintain and develop the provision of reciprocal estate management services with equivalent officials in other States, the Territories and in New Zealand
  - 5) Manage the investment of the Common Fund and determine the ongoing investments strategy to maximise return on the Fund, and
  - 6) Conduct preliminary enquiries under the Protected Estates Act 1983 when so directed by the Supreme Court.

**OPC's objectives are as follows:-**

- 1) To provide and ensure efficient and effective management of the estates and affairs of those persons who are incapable of managing their own affairs by reason of mental or other condition and certain other persons
- 2) To ensure that the management of each such estate is appropriate having regard to the:
  - (a) person's immediate and long term needs
  - (b) availability of financial resources
  - (c) requests, plans and objectives of any Guardian of the person
  - (d) person's previous, current and hoped for lifestyle
  - (e) person's family commitments or obligations
  - (f) arrangements made by the person when competent, and
  - (g) other relevant factors.

3. To operate the Registry of the Equity Division - Protective of the Supreme Court efficiently and effectively to provide timely access to Orders in the Division and to provide information and assistance to the public, professionals and other organisations regarding the operations of the Division
4. To invest and operate the Common Fund established under the Protected Estates Act 1983 in accordance with the Act and in a manner which achieves optimum outcome having regard to the need for security, liquidity and rate of return
5. To operate the Office in a cost effective and profitable manner in order to provide additional services which correspond to changing client and community needs, expectations and perceptions, and
6. To increase public awareness and understanding of the services provided by the Office and the means by which they may be formally accessed.

**Office Structure**

The Office of the Protective Commissioner is an administrative unit of the Attorney General's Department. Staff are employed under the provisions of the Public Sector Employment and Management Act 2002. Human Resource Management is provided through the Attorney General's Department.

The Office executive management comprises the Protective Commissioner and three (3) Divisional Directors with responsibility for:-

- \* Client Services

## 8. Appendices

(Statement of Affairs Cont'd)

- \* Finance and Investment, and
- \* Corporate Services.

### **Effect of the Office of the Protective Commissioner's Functions on Members of the Public**

The nature of the core activities of the Office of the Protective Commissioner, that is, the management of the affairs of protected persons in accordance with Orders made pursuant to the provisions of the Protected Estates Act 1983, may on occasion be quite intrusive and can have considerable effect on peoples' lives. It is occasionally necessary to take action contrary to the wishes of a client, however, there are legislative protections against the improper use of such powers, for example:-

- (a) Section 50 of the Protected Estates Act 1983 requires that notice of proposed actions be provided to the client, or other interested person(s), in certain circumstances
- (b) there is a right of appeal against the decisions of the Protective Commissioner to the Administrative Decisions Tribunal or to a single Judge of the Supreme Court.

### **Arrangements for Public Participation in Policy Formulation**

In addition to the requirement to consult with clients and others who provide significant support in their lives, the Office of the Protective Commissioner regularly consults with community groups and other government agencies to ensure that the Office responds appropriately to the needs of people with disabilities.

OPC's Advisory Council was established to provide high level independent advice and comment on policies, service delivery and strategic direction. Meetings of the Advisory Council are held quarterly. The Council consists of individuals recognised for their expertise in the law, management, disability services, etc and the Protective Commissioner.

### **Description of the Kinds of Documents Held by the Office of the Protective Commissioner**

The Office of the Protective Commissioner holds the documents described below.

The fact that documents are listed below does not mean that every document in each category will be automatically available. For various reasons (e.g., personal privacy) some documents will not be made available without a written Freedom of Information application.

#### **Files**

Most of the Office documentation is stored as files which are grouped under the following major headings:-

#### **1. Administration**

All aspects of the Office's internal administration, including budget and financial matters, correspondence, internal and external audit, management information systems, and Minutes of Executive and Branch meetings.

#### **2. Personnel Matters**

Including files relating to the recruitment and training of staff and the staff establishment,

together with staff members' personnel files.

### **3. Estate Management**

Files which deal with the management and administration of client estates, including matters where private financial managers have been appointed.

### **4. Policy and Procedure Manuals**

The Office of the Protective Commissioner has a number of manuals incorporating estate management and accounting procedures. These manuals are used internally to assist staff in the performance of their duties and to ensure that audit and control procedures are maintained.

### **5. Business Plan**

A Business Plan is available to the public outlining the Office's strategy for the coming financial year.

### **6. Publications**

Brochures setting out the nature of the services provided by the Office of the Protective Commissioner are available to the public at no cost.

### **ACCESS ARRANGEMENTS, PROCEDURES AND POINT OF CONTACT**

#### **Access to Published Documents -**

Requests under the Freedom of Information Act 1989 for access to information in the possession of the Office of the Protective Commissioner are the responsibility of the Freedom of Information Coordinator.

#### **Requests for information should be addressed to the:-**

Freedom of Information Officer

Office of the Protective Commissioner  
P.O. Box A235  
SYDNEY SOUTH NSW 1232, or  
Level 15, 133 Castlereagh Street  
SYDNEY NSW 2000  
Telephone: (02) 9265 3131  
Facsimile: (02) 9264 1458  
Outside Sydney: 1300 360 466

**Access to Personnel Documents -** Staff members are not required to use Freedom of Information legislation to access their personnel files. A request to access personnel files should be made to the Manager, Human Resources.

**Amendment of Documents Regarding Personal Affairs -** Members of the public seeking to amend Office of the Protective Commissioner documents about their personal affairs should make request these details be updated through the appropriate estate managers or written application to the Freedom of Information Officer at the address provided above. In some cases evidence supporting the amendment(s) being requested will be required and should be included with the application.

**Access to All Other Departmental Documents -** Brochures produced by the OPC as detailed under "Publications" are freely available by contacting the Community Liaison Officer.

### **(XII) GRANTS**

There were no grants made to any non-government community groups during the year.

## 8. Appendices Cont'd

### **(XIII) GUARANTEE OF SERVICE**

Our commitment to service is to ensure that clients have a carefully and professionally planned financial future - one that meets their lifestyle needs and is within their available financial resources. We strive to provide a high level of service and our staff members are committed to:

- \* maintaining the highest ethical standards of integrity, equality and confidentiality
- \* serving our clients' needs with the best that our professional skills and experience can offer
- \* respecting different cultures
- \* upholding the principles of the *Guardianship Act, 1987* in every aspect of our work.

Service Standards for Estate Management and Private Management Support are published and available from OPC.

We undertake to respond to phone calls within 2 working days and correspondence within 15 working days.

Details of OPC's complaint handling processes can be reviewed on page 9 of this report.

### **(XIV) LAND REGISTER**

OPC does not own land and so does not maintain a Land Register. No land owned by OPC was sold or disposed of this year.

### **(XV) LEGAL CHANGES**

The Protected Estates Regulation was amended during the reporting period to enable the new fee structure for OPC to be introduced. These fee changes also enabled OPC to implement an investment service for private managers in relation to protected persons funds.

### **(XVI) OVERSEAS TRIPS**

No OPC staff member undertook an overseas trip during the 2003-2004 financial year.

### **(XVII) PRIVACY MANAGEMENT**

The nature of the relationship OPC has with clients in managing their financial affairs means we collect and maintain a wide range of personal information regarding their lifestyle choices, significant relationships, health care needs and living arrangements. For many clients financial management orders may be in place or renewed on an ongoing basis for the rest of their lives and their expenditure records are maintained to answer inquiries regarding expenditure.

OPC continued to review the collection, access and storage of information in relation to clients and staff members to improve the implementation of the *Privacy and Personal Information Act 1998*. A newsletter will be sent to clients next financial year advising them of our processes and how to update their information.

## ***(XVIII) PUBLICATIONS***

- \* Corporate Brochure - updated April 2004
- \* Estate Information Form - updated November 2003
- \* Fact Sheet 11 - Facts on Fees - updated October 2003
- \* Fact Sheet 14 - Review of Decisions Administrative Decisions Tribunal
- \* "Have Your Say" Complaints Brochure - updated June 2003
- \* OPC Annual Report 2002-2003
- \* OPC Annual Report 2002-2003 Highlights brochure
- \* OPC Newsletter for Clients - February 2004, August 2004
- \* Planning and Investing with OPC
- \* Private Manager's Handbook - updated Dec 2003
- \* Private Management Newsletters - July 2003, March 2004
- \* Service Providers Newsletters - November 2003

**Note:** OPC's internet site was updated on numerous occasions throughout the reporting period and new pages added.

## ***(XIX) RISK MANAGEMENT AND INSURANCE***

OPC insurance is provided by the Treasury Managed Fund which is managed by GIO General Ltd. The risks covered include Workers' Compensation, Motor Vehicle, Property, Liability and Miscellaneous insurance.

The Office has continued to concentrate on employee safety education, the detailed management of workers' compensation claims and, in particular, rehabilitation services. As a result, there is a greater staff awareness of the importance of safe work practices.

The Office will improve security measures at its new relocated Office at 144 Clarence Street through the introduction of a biometrix security system in the next financial year. The system will recognise scanned fingerprints to allow entry and is regarded as being physically stronger than other optic based fingerprint recognition systems.

A Risk Management Plan for Client Contact was designed and implemented as part of the OPC Business Plan 2003-04.

It is divided into three areas.

1. by level of risk - to monitor issues assessed as being of high risk.
2. by type of risk - to examine the risks common to a number of locations.
3. by action owner - to assist those with responsibilities to act in relation to the plan and identify what is required and by when it is required.

## 8. Appendices Cont'd

(Risk Management and Insurance Cont'd)

### Workers Compensation Insurance Claims 2003-2004

Year	No of employees	No of claims	Total cost of claims \$'000	Average Claims per employee	Average Cost per employee \$
2003-2004	261	7	21.8	0.026	83
2002-2003	252	2	7.3	0.008	30
2001-2002	237	10	49	0.04	207

### Motor Vehicle Insurance Claims 2003 - 2004

Year	No of vehicles	No of claims	Total cost of claims \$'000	Average Claims per vehicle	Average Cost per vehicle \$
2003-2004	8	2	4	0.25	500
2002-2003	8	1	2	0.1	250
2001-2002	9	6	10	0.7	1,111

### (XX) SENIOR EXECUTIVE SERVICE POSITIONS

As at 30 June 2004, there were two Senior Executive Service positions within OPC.

- \* Protective Commissioner & Public Guardian, SES Level 5 - held by Ken Gabb LIB, for the entire reporting period;
- \* Deputy Protective Commissioner and Director, Client Services, SES Level 2 - held by Mark Orr BSc, BSc (Hons), Grad Dip Spec Ed, MHSM, AFCHSE, CHE, Registered Psychologist, for the entire reporting period.

### (XXI) STATEMENT OF PERFORMANCE

Protective Commissioner  
Ken Gabb  
SES Level 5  
Total remuneration package as at 30 June 2004: \$195,000

In October 2003 OPC introduced a new fee structure, following a review of its funding and fee structure by the Independent Pricing and Regulatory Tribunal. Most clients will now pay two fees only - a management fee of 1.1 per cent of the value of an estate under management and an investment fee of 0.5 per cent of the value of investments in OPC's common fund. The new fee structure is fairer and more transparent than the one it

replaces.

The new fees were accompanied by an injection of \$9 million of public funds to assist OPC to provide services to clients who cannot afford to pay for them. Public funding now represents a significant proportion of OPC's revenue, the amount of Government support increasing by almost 90 per cent from last year's contribution of \$4.8 million.

This year saw the completion of the outsourcing of the management of OPC's client investment funds. OPC manages about \$1.2 billion of client investments in its common fund. Following an exhaustive tender process, OPC has chosen BNP Paribas to act as master custodian of the funds and State Street Global Advisors to manage the funds.

It is now more than twenty years since the enactment of the Protected Estates Act in 1983. During 2003-2004 OPC reviewed the provisions of the Act in conjunction with a wide cross section of stakeholders. Although no need for wholesale change was identified a number of changes were suggested. Proposals for reform were referred to the Attorney General's Department for consideration in the year ahead.

In my statement of performance for 2002-2003 I identified the management of clients' non-investment assets as an area where I considered OPC to be deficient. During 2003-2004 the Client Asset Management

Branch (CAMB) was expanded and more specialist positions added. As a result, CAMB has commenced the development of asset management plans for some clients and will expand this work during the coming year. I envisage asset management plans will incorporate the identification, recording, valuation, and insurance of major client assets and, where appropriate, provision for the repair, maintenance and replacement of those assets.

As part of its commitment to better management of clients' assets OPC has also commenced a trial in two NSW locations of a property inspection and repair program in partnership with the LJ Hooker group of real estate agents. At the completion of the trial OPC will assess whether or not partnership with a private sector organisation can provide OPC clients with a cost effective property inspection and repair program.

OPC is also exploring with Telstra the potential for the electronic billing and payment of client telephone accounts. Each three months OPC processed several thousand telephone bills on behalf of its clients. The potential benefits that could flow to both Telstra and OPC from a more efficient billing method have led both organisations to investigate new procedures that may eventually lead to electronic billing and payment.

In conjunction with a speech pathologist from The Spastic Centre, OPC has developed a money management booklet

## 8. Appendices

### (Statement of Performance Cont'd)

for people with an intellectual disability. The booklet uses a simple story line and pictographic symbols to help clients participate more meaningfully in decisions about their money. A budget management sheet, which accompanies the booklet, can be used to develop a simple personal budget. The booklet has been well received within the disability sector with The Spastic Centre, People with Disabilities Australia Inc. and the Department of Ageing, Disability and Home Care all endorsing its use.

### **(XXII) WASTE REDUCTION AND PURCHASING POLICY**

OPC continues to encourage staff to improve efficiency in the use of energy. Some ways this is being achieved is by recycling all waste paper and cardboard, turning off lights when rooms are not in use, printing double sided whenever possible, turning off computer monitors during lunch breaks and not printing e-mails unless necessary.

Further savings have been achieved by the gradual reduction in the use of laser jet printers as additional multi functional document centres have been installed. This has also seen the decrease in the number of toner cartridges supplied.

OPC has also drastically reduced the number of Annual Reports printed this year to reduce waste. People will be encouraged to access an electronic version of the Report through the website.

### **(XXIII) WORKS IN PROGRESS**

The total cost of works in progress at the end of the financial year was \$521,001.36.

#### Leasehold Improvements -

* 144 Clarence St.	\$221,814.27
* OPC Mailing System	\$ 62,500.00
* Records Management System	\$ 10,909.09
* Information Technology Enhancement Projects	\$225,778.00

When projects are completed, the amounts are transferred to the appropriate asset accounts and subject to monthly depreciation charges.