



Appendices

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Corporate Governance Committees and Boards

ADVISORY COUNCIL

OPG and OPC's Advisory Council has a joint function providing advice to OPC and OPG. The council is able to give consistent and well balanced advice and comment on policies, service delivery and strategic direction. The Advisory Council meetings are held on a quarterly basis.

Members of the Advisory Council are:

Noel Atkinson

Former Research Fellow at the Centre for Developmental Disability Studies with 35 years professional experience in the developmental disability field. Parent of a young woman who requires support to live and work in the community.

Andrew Buchanan

Andrew is a communications and media consultant based in Sydney offering broad assistance in 'communications' in working with individuals and organisations. Also chair of Disability Council of NSW.

The Hon. Brian Cohen, QC

A Barrister for 24 years, appointed Master of Supreme Court of NSW in 1976 and Justice of that Court.

Lloyd Draney

Retired Head of AMP Foundation. Previous AMP appointments included Group Financial Controller and Investment Manager. Also a Board member and Chairman of the Audit Committee of Sunnyfield.

Phillip French

A lawyer with extensive background in advocacy for people with disabilities. Works as a consultant in the areas of human rights, health and social policy.

Sue Field

Inaugural Public Trustee New South Wales Fellow in Elder Law at UWS and is on the Ministerial Advisory Committee on Ageing representative.

Jenny Green

Former head of TAFE Disability Services and now lecturer in management at School of Management, University of Technology, Sydney.

Janet Meagher AM

Director of Development, Psychiatric Rehabilitation Association and Patron of the Australian Mental Health Consumer Network

Barbara Squires

General Manager, Ageing, The Benevolent Society, and Fellow of the Australian Association of Gerontology.

Roger Stancliffe, Ph.D

Over 29 years experience in the developmental disability field. Currently a senior research fellow at the Centre for Developmental Disability Studies.

INVESTMENT ADVISORY COMMITTEE

This Committee advises the Protective Commissioner on issues associated with the investment of clients' funds. OPC is represented on the Committee by the Protective Commissioner and the Director, Finance and Investment. External members are:

Alan Bertram

31 years experience in investment activities for AMP until retirement in 1999. Has undertaken advisory and consultative roles for AMP and Medibank Private.

Susan Doyle

(representing the Attorney General)

35 years experience in the funds management industry, including Commonwealth Funds management, Suncorp Investments and NRMA Investments. Member of the Board of Guardians for the Future Fund.

Ted Gifford

41 years experience in a wide range of investment activities culminating in a senior management position in AMP until retirement in 2002.

Tim North (representing the NSW Treasurer)

Principal Advisor, Intergovernmental Finances, NSW Treasury.

Interagency Forum

OPC has an interagency forum to foster better relationships and communication with the disability sector. The forum discusses developments within OPC and provides an ongoing mechanism for feedback.

The forum comprises representatives from disability groups that share a client base with OPC. The forum provides opportunities for members to raise difficulties their constituents may be experiencing in dealing with OPC and solutions can be discussed. The membership consists of representatives from the following organisations:

- > **Aged Care Rights Service Inc**
- > **Alzheimer's Australia**
- > **Association of Relatives and Friends of the Mentally Ill Inc (ARAFMI)**
- > **Brain Injury Association of NSW**
- > **Carers NSW**
- > **Council for Intellectual Disability (NSW)**
- > **Disability Council of NSW**
- > **Intellectual Disability Rights Service**
- > **Mental Health Advocacy Service**
- > **Mental Health Coordinating Council Inc**
- > **Multicultural Disability Advocacy Association of NSW**
- > **People with Disabilities Australia**
- > **Schizophrenia Fellowship of NSW**

The forum met once in 2006-2007.



Financial and service delivery performance

Account Payment Performance

OPC

Payment Performance Indicators

Schedule of Accounts Payable	Qtr Ended Sept 2006 \$'000	Qtr Ended Dec 2006 \$'000	Qtr Ended March 2007 \$'000	Qtr Ended June 2007 \$'000
Current	-	-	-	26
Less than 30 days	-	-	-	-
Overdue 30-60 days	-	-	-	-
Overdue 60-90 days	-	-	-	-
Overdue more than 90 days	-	-	-	-
Totals				26*

* 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 2006 \$'000	Qtr Ended Dec 2006 \$'000	Qtr Ended March 2007 \$'000	Qtr Ended June 2007 \$'000
Accounts paid on time	10,487	9,724	9,880	14,808
Total accounts paid	10,490	9,745	9,914	14,839
	%	%	%	%
Accounts paid on time	99.97	99.78	99.66	99.79
Accounts paid on time	99.90	99.90	99.90	99.90

OPG

During 2006/07, 690 relevant corporate payments were made with a total value of \$799,952.12. It is the policy of OPG that all claims for payment of accounts are paid within the time frame allowed by the terms set out in the suppliers' contracts. If no terms are set, payment is made by the end of the month following the month in which the invoice is received.

Interest paid due to late payments OPC and OPG Nil

OPC Budget (Operating) 2007-2008

OPC has submitted its budget to the Director General of the Attorney General's Department.

The amount of government funding for OPC services in 2007-2008 reporting period was \$2.825 million.

	2007-2008 Budget \$'000	2006-2007 Actual \$'000
Operating Revenues		
Investment Income	500	1,141
Registry Fees	-	-
Court Directions and Supervision Fees	1,700	1,807
Income and Capital Commission (Note 1)	-	-
Management Fees (Note 1)	15,750	15,708
Investment Fund Fees (Note 1)	6,000	6,770
Government Funding	2,825	7,432
Fees - additional services to clients	-	-
Fee for provision of Taxation Service	-	-
Financial Planning Fees	-	-
OPC Services to OPG	-	-
Profit on Sale of Assets	-	-
Transfer under Former Sect 55 (1)(c) of the Protected Estates Act	-	-
Miscellaneous Income	54	110
Total Revenue	26,829	32,967
Operating Expenses		
Salary & Related	20,104	19,703
Operating Expenses	7,865	5,544
Maintenance	780	904
Depreciation	2,416	2,298
Total Operating Expenses	31,165	28,449
Surplus/(Deficit)	(4,336)	4,519
Capital Revenues		
Transfers under Sect 55 (1)(c) of the Protected Estates Act		-
Total Capital Revenue		-
Total Capital Expenditure	4,420	1,502



OPG Budget (Operating) 2007-2008

The management committee oversaw expenditure in the 2006/2007 financial year of \$6.137 million.

The amount of government funding for OPG operations in 2006/2007 was \$6.751 million. Additional revenue earned as investment income was \$0.207 million.

In this financial year, there was a budget surplus of \$0.822 million. This was mainly due to under expenditure of employee related expenses due to recruitment difficulties which have now been overcome. Also a reduction in defined benefit superannuation liability at the end of the financial year contributed towards this surplus.

Complaint Management and Reviews of Decisions

OPC

We welcome feedback from clients and other interested parties. Clients and stakeholders are encouraged, and have a right, to express their views about the organisation and the service it provides. On an individual basis this provides an opportunity for people to have issues related to their particular circumstances reviewed. On an organisational level the information received helps us to develop ways to improve the service we provides to clients. We aim:

- > to provide easy accessibility for clients and other stakeholders who want to give us feedback;
- > to have complaints and reviews of decisions resolved in an appropriate and timely manner; and
- > to provide statistics on the nature of the feedback received for evaluation and future planning purposes.

Clients and stakeholders can provide feedback in a variety of ways that best suits them. They may telephone or write to:

- > our Client Liaison Branch or their Private Management Support Officer; or

- > Write to OPC's Manager, Quality Service & Community Relations or the Protective Commissioner.

Alternatively, they may seek referral to an appropriate advocacy organisation.

Listed below is a summary of the feedback received this year through the centralised complaint handling mechanism in comparison with previous years.

Type of feedback	04/05	05/06	06/07
Compliments	11	11	21
Complaints	163	199	305
Reviews of Decision	35	32*	34**
Ministerials	48	62#	99##

** Of the 34 Internal reviews of decision carried out by OPC, in accordance with the ADT Act, 1997 22 decisions were affirmed, 5 were varied and 7 were set aside

* Of the 32 internal reviews carried out by OPC, in accordance with the Administrative Decisions Tribunal (ADT) Act, 1997 21 decisions were affirmed, 4 were varied and 10 were set aside.

Of the 99 ministerials received in this financial year 89 were complaints and 10 related to requests for information or clarification of the role of the office

Of the 62 ministerials received in this financial year, 57 were complaints and 5 related to requests for information or clarification of the role of the office.

A total of 15 decisions were externally reviewed by the ADT. Of those 7 were either affirmed or dismissed by the ADT, 4 decisions were either set aside or varied, 2 applications were withdrawn and 2 were settled between the parties with the ADT's consent.

The introduction of our new structure in August has seen a significant increase in the number of complaints received. The most common cause of complaint was the length of time to be served (33.7%) This resulted from ongoing problems with the telephone queuing system as well as issues regarding internal processes. A significant number of those complaints related to concerns about our communication with clients. Most notably, those

concerns were about people feeling uncomfortable talking to different Client Liaison staff and a perception that because communication is now with different staff they will not know about the clients particular circumstances (15.4%). Many of these complaints are resolved by explaining the new structure and by letting clients and stakeholders know that Client Liaison staff have access to the same information that former estate managers had.

30.4% of complaints had an element relating to dissatisfaction with a decision OPC had made and this was about the same in percentage terms as last year (29.6%). Other significant areas of complaint were (21.9%) relating to the procedure involved in having a decision made or funds released; (21.3%) regarding the Protective Commissioner's role (down from 36% last year); (9.8%) relating to dissatisfaction with the appointment of the Protective Commissioner (down from 16% last year). These issues are largely outside OPC's control and often relate to family conflict or an unwillingness to accept the decision by a court of tribunal to appoint a financial manager.

We have introduced several initiatives to address the complaints being received, including: IT enhancements to improve the information accessible by liaison staff; enhanced data capture to support corrective action; improved information for clients to explain the reason and aims of the new structure; further training for liaison staff to improve communication with clients to help minimise uncertainty about the changes; and the closer involvement of Assistant Directors in the complaint handling process. An independent post implementation review has also been completed by Deloitte and the recommendations from that review will assist in addressing many of the concerns raised by clients and stakeholders.

We will continue to try and capture more information from clients and stakeholders through the complaints system to enable the office to improve its service to clients. OPC continues to look at ways to keep clients and stakeholders informed of their right to make a complaint or seek a review of decision. This has been demonstrated by the increasing amount of feedback the office receives.

It is encouraging to see that the number of compliments has also increased by 90%. Although this is only based on a small sample size it indicates that many clients and families value the assistance we provide in the management of our clients' financial affairs.

The complexity associated with making substitute decisions in the overall best interests of clients cannot be overstated. OPC is only appointed in situations where a person is at risk of exploitation, abuse or neglect and there is no suitable alternative available. The expectations that some people may have about the role of the Protective Commissioner can sometimes lead to dissatisfaction.

Underlying the majority of complaints received by OPC are issues such as a lack of funds in a client's estate to allow the approval of requests for extra money and extreme family conflict with opposing ideas about what is in the overall best interests of the client. In these situations, no matter what decision is made, at least one of the parties is likely to feel aggrieved. However, we recognise that improvements can always be made and initiatives, such as improved explanations of the reasons for decisions and community education can have a positive impact.



OPG

This year we received feedback from clients and stakeholders in the form of complaints, compliments, ministerials, requests for reviews of decision, and requests for reasons for decision.

22 complaints were received from clients and stakeholders this year, which is a significant decrease of 67.6% since the last financial year. Our rate of resolution for complaints has improved this year with 100% of complaints being resolved compared to 55% in 2005/06. This year we received 10 ministerials.

The improvements in the way in which complaints are handled can be attributed to the implementation of the complaints management system (TRACC). The OPG Client Information System has allowed for more accountable and effective decision-making through the approval of guardianship plans and file audits, while TRACC has provided an enhanced analysis of information obtained from complaints and the way in which OPG responds. We will continue to use this information to improve its service delivery to clients and stakeholders and to inform guardianship practice.

The most common complaint related to guardianship decisions (45%), and a further 36% of complaints were about the decision-making process. 18% of complaints were related to professional conduct.

We strive to inform stakeholders of their right to make a complaint or to request an internal review of a decision. This information is provided through the OPG website, publications, telephone information service and community education. 45% of complaints received were made by a relative of the person under guardianship and approximately 36% of complaints were received from the person under guardianship.

The OPG received 41 compliments this year, compared to 31 in the last financial year.

In accordance with the *Administrative Decisions Tribunal (ADT) Act 1997* decisions made by the Public Guardian are subject to review. If an interested party disagrees with a decision that has been made by the Public Guardian they can submit a request for an internal review (subject to time limitations). This year 10 requests for internal reviews of decisions were made; in 9 cases it was a relative of the person under guardianship requesting the internal review, and in one case it was the person under guardianship. Of these 10 matters, 9 decisions were affirmed and one decision was varied. Other possible outcomes can include the decision being set aside or the request being withdrawn.

The most common type of decision reviewed was accommodation (6); 2 of the reviewed matters were access decisions, one was a health care decision and one was a services decision.

After a decision has been internally reviewed the person may make an application to the Administrative Decisions Tribunal (ADT) for an external review if the person is not satisfied with the outcome of the concerned internal review. This is subject to time limitations.

This year 13 notices were received from the ADT, 6 concerned OPG decisions. 7 of these were appeals against decisions made by the Guardianship Tribunal, however they involved a person under guardianship. One application for an external review of a decision made by the Public Guardian was withdrawn, one was dismissed, two of the Public Guardian's decisions were affirmed, in one case the Guardianship order was dismissed, and one matter is currently pending an outcome.

Client and stakeholder surveys

OPC

OPC conducted a survey of directly managed clients, their family or other representatives and private managers as a follow up to the surveys conducted in 2004. (As the surveys closed on 26 June 2006 the findings were not available for the previous reporting period). More people responded to the survey than in 2004 (1759 in 2006 up from 1645 in 2004). In the 2006 survey 74.9% of respondents were satisfied with OPC's service (compared to 78.9% in 2004). (There are questions about the reliability of this data, as it is collected in a written survey form). From the 2006 survey we could see that the restructure of our service delivery was needed due to the continuing increase in the number of clients.

A further phone survey was carried out in March 2007 where a sample of 40 random clients were contacted. 75% of the respondents were happy with the service provided and of those who were not happy with the service they thought the staff were very helpful. This type of survey is considered to provide much more reliable data and the intention is to repeat this survey technique to gather feedback on a regular basis rather than a biannual written survey.

Approximately 25% of private managers responded to the written survey. Of the respondents 90.7% reported they were satisfied with the service OPC offered. However, the comments showed that the service could be improved by expedite examination of accounts and for the fees charged to be more transparent. In response to this feedback both a restructure and a fees proposal was developed.

OPG

In October 2006 the PGSU conducted a survey of private guardians in NSW. The aim of the survey was to find out what guardians thought of the PGSU's service and what kind of service they would like to receive.

The survey was sent to 942 private guardians and was also posted on our website. Two hundred responses were received (21.2 per cent). This number of responses could not necessarily be expressed as representative of all guardians, however a number of clear themes emerged including a positive rating of the PGSU and a strong readership of *Onguard*, openness to information and training, and a need for information around the role and authority of a guardian.

PGSU will consider repeating the survey in future to gather more comprehensive information. This coming financial year PGSU plans to investigate the viability of a national conference for guardians, training opportunities for guardians, and also hopes to update the PGSU publication *After the Hearing* (last edition 1999).

Ethnic Affairs Priority Statement (EAPS)

OPC and OPG are committed to providing appropriate services to meet the individual needs of all clients.

OPC 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. OPG makes decisions about lifestyle or medical matters as guardian of last resort for people unable to make these decisions for themselves. This also means that the client's cultural needs are an important piece of information to uphold the Guardianship principles.



Promoting Enduring Guardianship to Culturally and Linguistically Diverse Communities (CALD)

OPG is running an education campaign which aims to promote enduring guardianship to CALD communities. This project will build on the considerable work the OPG has undertaken to disseminate enduring guardianship information throughout NSW since 2000. More information about this campaign can be found in Services to the Community on page 23.

Staff training on Cultural Diversity

As part of our induction program the cultural and linguistic needs of clients are incorporated into the following modules:

- > What is OPC? – Guardianship Principles .
- > Who are Our Clients – Communication Handbook.
- > Decision making in OPC.
- > Making and communicating Decisions.

Our staff are also encouraged to participate in the AGD “Client Service Skills” Training, and “Cross Cultural Communication skills” which incorporates the cultural and linguistic diversity among clients.

Language services and information provided to the diverse community of NSW

To aid in delivery of services to a culturally diverse client group we have fourteen staff receiving the Community Language Allowance. OPC can offer language assistance in twelve community languages.

OPC and OPG offered language assistance using the Telephone Interpreter Service and professional interpreters to interpret and translate for clients and their family members. During 2006-2007, on 272 occasions OPC used interpreter and translation services for its clients and stakeholders.

OPC has continued to encourage clients and others to seek interpreting assistance if required by including a panel in 21 community languages on brochures, the back of our letterhead, the website and the Annual Report.

OPG has translated their Enduring Guardianship into ten community languages.

The year ahead:

The priorities of OPC and OPG in the next financial year include:

- > The continuation of OPG’s education campaign promoting enduring guardianship to CALD communities.
- > OPC community education to target Cantonese, Vietnamese and Arabic speaking communities with supporting materials translated.

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.

The Director, Assets, Corporate and Legal, OPC has the role of Freedom of Information Coordinator for OPC and OPG. This position was chosen to fulfill this role due to its independence from decision-making concerning both clients and private managers.

No requests for internal review of FOI decisions have been made under the Act.

Members of the public who would like to make a Freedom of Information application may contact the FOI Co-ordinator.

A full report of activities compared with the previous reporting period is shown below:

Freedom Of Information (FOI) Requests	2005-2006	2006-2007
New (including transferred in)	62	39
Brought forward	1	0
Total to be processed	63	39
Completed	63	39
Withdrawn	Nil	Nil
Total processed	63	39
Unfinished	Nil	1
Result of FOI Requests		
Granted in full	46	35
Granted in part	8	3
Ministerial Certificates Issued	Nil	Nil
Number of Requests Requiring Formal Consultation	2	1
Notation of Personal Records	Nil	Nil
FOI Requests Granted in Part or Refused	16	4
Basis of disallowing or restricting access		
All Completed Requests - FOI fees Received	\$1512.50	\$727.50
Type of Discount		
Financial hardship, pensioner, public interest	33	21
Days to Process - Elapsed Time		
0-21 days	63	39
22-35 days	-	
Over 35 days	-	
Total	63	39
Processing Hours		
0-10 hours	61	39
11-20 hours	2	
21-40 hours		
Over 40 hours		
Total	63	39



Guarantee of Service

OPC's 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; and
- > upholding the principles of the Guardianship Act, 1987 in every aspect of our work.

Service Standards for both directly and privately managed clients at OPC are currently under review.

OPC aims to respond to phone calls within 2 working days and correspondence within 15 working days.

OPG has guardianship standards to identify minimum requirements a person under guardianship, and other interested parties, can expect of guardianship staff. These standards follow the general principles of the Guardianship Act 1987, which set out the principles a guardian must observe when making decisions on behalf of the person. The standards complement positions statements and procedures which are already in place to guide and direct the decision-making and advocacy of staff of the Office of the Public Guardian. Complaint and review mechanisms exist for people affected by the decisions of the Public Guardian. Staff of the Office are also bound by a range of government requirements, including a Code of Practice relating to areas such as appropriate professional behaviour, privacy and confidentiality, conflict of interest and ethical work practices.

There are 6 guardianship standards

1. provide information
2. seek views
3. record information
4. make decisions
5. participate in guardianship reviews
6. professional development

Our people

Disability Plan

OPC and OPG have continued to implement the AGD Disability Plan. During the reporting period OPC provided reasonable workplace adjustment for 14 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 and OPG's general practice.

Women

The Spokeswomen's Program in OPG and OPC

The Spokeswomen's Program aims to improve equality in the workplace for women in the NSW public sector. This year OPG and OPC Spokeswomen coordinated activities to meet the areas of interest of female staff. These activities included celebrating International Women's Day with a former manager of the Asylum Seekers Centre, who shared their experiences working with women in refugee communities in Liberia, Kashmir and Islamabad, through UNICEF & Red Cross. A breakfast was also held on International Women's Day with a focus on this year's theme of ending the violence against women. Other events have provided information about superannuation, financial planning for the future, and tools for achieving a balance between life and career. All events have been well attended and women from OPG and OPC continue to strongly support events organised for the Women's Network by the Spokeswomen.

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 and OPG aim to have equitable representation amongst staff and in council and committee positions.

For our clients, their gender is an intrinsic part of who they are and our services are tailored to the individual needs of each client. Accordingly decision-making, client and financial plans for the services required by a female client are personalised according to her identified needs.

Five of the ten members of OPC and OPG's Advisory Council are women and one member of the Investment Advisory Committee. When council and committee positions become vacant in future we will be actively seeking appropriately experienced women for these positions.

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.

Code of Conduct and Ethics

OPC and OPG are covered by the NSW Attorney General's Department (AGD) Code of Conduct and Ethics. There were no changes to the AGD Code of Conduct and Ethics in 2006-2007.

The AGD's Code of Conduct and Ethics sets out the obligations and standards of ethical behaviour. It assists staff to identify maladministration or corruption, and to know how to deal with it. It identifies internal systems for detection, preliminary investigation, reporting and prevention of such behaviour. All departmental staff must comply with the Code, which is based on the Independent Commission Against Corruption Act 1988, Public Sector Employment and Management Act 2002, Public finance and audit Act 1983 and Privacy and Personal Protection Information Act 1998.

The Code incorporates three principles:

- > public confidence
- > responsibility to the government of the day
- > the rights of employees.

The public has the right to expect that public sector organisations demonstrate the highest integrity and competence, treating all citizens fairly, reasonably and equitably. The government of the day is entitled to expect its employees to provide impartial and accurate advice and to implement its policies promptly, efficiently and effectively. Public sector employees enjoy the same rights as private sector employees. They have additional protection under some legislation, such as the Protected Disclosures Act 1994 and the Anti-Discrimination Act 1977.



Equal Employment Opportunity (EEO)

Table A. OPC Trends in the Representation of EEO Groups¹

EEO Group	Benchmark or Target	% of Total Staff ²		
		2005	2006	2007
Women	50%	57%	57%	54%
Aboriginal people and Torres Strait Islanders	2%	2.6%	1%	2.5%
People whose first language was not English	19%	16%	12%	30%
People with a disability	12%	8%	6%	11%
People with a disability requiring work-related adjustment	7%	7.8%	3%	10.8%

Table B. OPG Trends in the Representation of EEO Groups¹

EEO Group	Benchmark or Target	% of Total Staff ²	
		2006*	2007
Women	50%	77%	78%
Aboriginal people and Torres Strait Islanders	2%	0%	0%
People whose first language was not English	19%	0%	8%
People with a disability	12%	11.5%	9%
People with a disability requiring work-related adjustment	7%	7.7%	5%

*OPG demographic data for previous years was not available as they were amalgamated with AGD staffing figures in previous reports.

Table C. Trends in the Distribution of EEO Groups¹

EEO Group	Benchmark or Target	Distribution Index ³		
		2005	2006*	2007
Women	100	90	-	89
Aboriginal people and Torres Strait Islanders	100	N/A	N/A	N/A
People whose first language was not English	100	97	-	89
People with a disability	100	N/A	-	106
People with a disability requiring work-related adjustment	100	N/A	-	106

*Data for distribution trends of EEO group members was not available from Premier's Department at time of printing.

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 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. NB: At time of printing 2006 distribution index was not available from Premier's Department.
OPC and OPG'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 – OPC and OPG encourage staff to participate in groups established by the department such as the Staff with Disabilities Network, Women's Network and the Cultural Diversity Network
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 and OPG continue to provide all exiting staff with the opportunity to comment on their employment experiences at OPC by means of exit questionnaires and/or interviews.
- > OPC and OPG staff were encouraged to update their personal details on the Aurion payroll system in order to improve the EEO data available to enable OPC and OPG to monitor EEO outcomes. This resulted in an improvement in the percentage of staff providing these details from 49% to 59%.
- > 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 four Aboriginal and Torres Strait Islander (ATSI) staff. These staff are

supported in their active membership of the Department's Equity Network and meetings/conferences.

- > A range of communication and consultation strategies (including staff forums and workshops) were implemented as part of OPC's restructure to ensure that the needs of staff from EEO groups were heard and addressed.
- > Additional support in training in job seeking was provided to ensure that EEO group members were not disadvantaged in the recruitment process.
- > 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. New position descriptions were prepared to reflect the new administrative structure within OPC and all of these position descriptions incorporated specific EEO responsibilities.
- > OPC continues to monitor, analyse and report on grievances lodged by staff.
- > OPC continues to promote the Community Language Allowance Scheme.
- > OPC and OPG continue to implement reasonable adjustment to promote the employment of suitably qualified staff with disabilities.

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

- > Staff and managers have been trained in the prevention of workplace bullying and harassment and procedures for investigating harassment within the workplace. Further training will occur for all staff in the prevention of workplace bullying and harassment in 2007/2008.
- > Any complaints raised by staff are promptly investigated in line with the Attorney General's Department's policy and procedures.



Employment Reporting

Number of Employees by Category - OPC

		30 June 2004			30 June 2005			30 June 2006			30 June 2007		
		Men	Women	Total Staff	Men	Women	Total Staff	Men	Women	Total Staff	Men	Women	Total Staff
Permanent	full-time	92	122	214	88	106	101	113	214	194	101	113	214
	part-time	3	14	17	4	16	4	13	17	20	4	13	17
Temporary	full-time	10	16	26	15	17	8	11	19	32	8	11	19
	part-time	1	1	2	nil	2	nil	3	3	2	nil	3	3
Contract	SES	2	nil	2	2	nil	1	2	nil	2	1	nil	1
	non-SES												
Training													
Casual													
Total		110	141	114*	110	259#	251*	111	147	258@	114	140	254

* This figure excludes 29 vacancies filled on short term basis by staff employed by employment agencies.

@ This figure excludes 28 temporary staff employed by employment agencies to fill vacancies on a short term basis.

This figure excludes 30 temporary staff employed by employment agencies to fill vacancies on a short term basis.

OPC has two positions identified in the Client Services Division for Aboriginal and Torres Strait Islanders. These positions are currently filled.

Number of Employees by Category - OPG

		30 June 2006			30 June 2007		
		Men	Women	Total Staff	Men	Women	Total Staff
Permanent	full-time	12	39	51	10	36	46
	part-time	5	15	20	5	19	24
Temporary	full-time	1	7	8	1	6	7
	part-time	nil	2	2	nil	1	1
Contract	SES	1	nil	1	1	nil	1
	non-SES						
Training							
Casual							
Total		19	63	82	17	62	79

Comparative figures are not available for years prior to 2006 as they were amalgamated with AGD staffing figures.

Movement in salaries during 2006-2007

A 4% Public Sector award salary increase came into effect in July 2006.

Personnel policies and practices

OPC and OPG staff are employed under the provisions of the Public Sector Employment and Management Act, 2002 and the Crown Employees (Public Service Conditions of Employment) Award 2006. OPC and OPG staff are employees of the Attorney General's Department.

OPC and OPG staff have online access, via an Intranet, to a comprehensive range of personnel policies provided to all administrative units of the Attorney General's Department. Staff can access a range of flexible working arrangements to accommodate disabilities or work/life balance.

The Employee Assistance Programme offers a confidential counselling and trauma debriefing service to staff.

Industrial relations policies and practices

No industrial dispute resulting in work stoppage occurred during the year.

OPC and OPG management continue to meet regularly with staff to discuss industrial matters via a Joint Consultative Committee. The committee comprises representatives of the Public Service Association, OPC and OPG Workplace Committee representatives and OPC and OPG management.

Senior Executive Service positions

As at 30 June 2007, there were three Senior Executive Service positions within OPC and OPG.

- > Protective Commissioner & Public Guardian, SES Level 5 - held by Ken Gabb LLB, on leave from end September 2006, resigned 31 March 2007;
- > Deputy Protective Commissioner and Director, Client Services, SES Level 2 - held by Mark Orr BSc, BSc (Hons), Grad Dip Spec Ed, Grad Cert Finance & Investment, MHSM, SAFin, MAPS, Registered Psychologist, for the entire reporting period.

- > Director, Office of the Public Guardian SES Level 1 – held by Graeme Smith, BSocSc. BLegStud, for the entire reporting period.

Statement of Performance

The statement of performance for the Protective Commissioner is reviewed by the Director General of the Attorney General's Department.

Mark Orr

Acting Protective Commissioner and Public Guardian

SES Level 5

Total remuneration package as at 30 June 2007

\$214,351

Ken Gabb took leave from 28 September 2006 and resigned on 31 March 2007.

OPC and OPG shared many challenges this year.

- > Increase in client numbers requiring a refining of structures to provide a contemporary service that meets client needs.
- > Preparation for move to Parramatta Justice Precinct.
- > Ensuring the professional development needs of staff is maintained during the move and restructure process.
- > Development of extensive plans to ensure the relocation goes as smoothly as possible for both clients and staff.
- > Workplace planning to minimise the loss of knowledge to both organisations as a result of the move.
- > Dissemination of paper and web-based communications to clients and other stakeholders with updates as the move approaches.
- > Commitment to staff professional development demonstrated with all but six staff (who were either on long term leave or absent) receiving at least three days training.



During the year the Office of the Protective Commissioner and/or the Office of the Public Guardian were involved in:

- > In March 2007 OPG staff facilitated a discussion on disability, sex and consent, with guest speakers from Family Planning Australia and the Intellectual Disability Rights Service.
- > Presenting three papers at the Australian Guardianship and Administration Conference in Melbourne.
- > Marking the 20th anniversary of the Guardianship Act 1987 by inaugurating the *32 Life Pieces* Art exhibition presenting the art of people with disabilities. Hosted at Parliament House by the Hon. John Hatzistergos MLC, NSW Attorney General and Minister for Justice, the exhibition was officially launched on the 1st June 2007 by the Hon Minister Kristina Keneally MP, Minister for Ageing and Minister for Disability Services. The proceeds from the sale of the works (\$9,000) directly benefited the artists. OPG/OPC plans to host the event again in 2009.
- > In August 2006, following an independent review by NSW Treasury, a new structure was introduced at OPC aimed at trying to improve the service provided to OPC clients through greater specialisation.
- > OPC conducted a major project to consolidate client superannuation policies to reduce fund management fees by using Sunsuper, a low cost not for profit industry fund chosen after extensive research by an independent consultant.
- > In the 2006 Budget the Federal Government announced significant changes to superannuation to take effect from 30th June this year. OPC was able to transfer funds into Sunsuper on behalf of 165 clients enabling them to take advantage of the changes to superannuation laws.
- > OPC conducted a consultation process in relation to a new fee structure for private manager work to better reflect user pays principles and full cost recovery.

- > Began developing resources with Victims Services explaining the Charter of Victims Rights. The resource is specifically for people with decision making disabilities.
- > OPG continued its education campaign, which aims to disseminate information to Culturally and Linguistically Diverse communities about enduring guardianship. This year OPG targeted the Italian and Greek communities, providing free information sessions across the metropolitan area to migrant health workers and peak groups. Bilingual fact sheets have also been provided to service providers as a resource. Feedback has been positive and highlights a continuing need for tailored information for CALD communities.

Training

OPC

OPC staff were required to complete 3 days training during the year. This was mandatory requirement set by the Director General of the Attorney General's Department.

At the end of June 2007 99% of OPC staff met or exceeded this requirement. The 1% of staff who didn't meet the requirement had completed 2 days training.

The training staff participated in ranged from on the job training, technical skills training, professional development and continuing education and specific training to skill staff to undertake their specialist roles in the new OPC structure. A number of staff participated in the National Guardianship Conference held in Melbourne.

The mandatory training requirement for staff in 2007/2008 is 5 days.

OPG

OPC staff were required to complete 3 days training during the year. This was mandatory requirement set by the Director General of the Attorney General's Department. This year OPG staff participated in various external training such a job seeking skills,

basic first aid, dispute resolution, supervision skill development, management, and operations in computer programs including Excel and Indesign.

Professional Development - Staff Seminars

OPG remains dedicated to promoting staff access to training and development. 'All Staff Day' seminars held in September 2006, March 2007 and June 2007, provide this opportunity to OPG staff.

In September 2006 OPG staff looked at the evolution of guardianship and the impact of human rights movement on guardianship. Guest speakers from People With Disabilities Inc spoke on the day about the Human Rights conventions and what it means for Australia and for guardianship.

In March 2007 OPG staff facilitated discussion around disability sex and consent, and received constructive insights into these topics with guest speakers from Family Planning Australia and the Intellectual Disability Rights Service (IDRS).

In June 2007 OPG staff presented findings of their on research on 'Personality Disorder and Guardianship'. At the same seminar a guest speaker from Newcastle University provided results of his research into happiness, life satisfaction and substitute decision-making for people with profound disability, severe communication difficulties and advanced dementia.

The 'All Staff Day' seminars have also provided a forum for staff discussion and feedback regarding the OPG restructure and the move to the Parramatta Justice Precinct.

Public Sector Management Program

This year an OPG staff member completed the Public Sector Management Program with distinction. The studies were sponsored by the Attorney General's Department. The national program aims to provide participants with the skills and knowledge to manage and lead effectively in the current and future public sector environment, through cost effective, relevant and value-added education and training.

Participation in external committees and conferences

OPC

This financial year the OPC was represented on the following external committees:

- > Inner City Homelessness Interagency
- > Inner City Chronic Homelessness and Complex needs co-ordinator project
- > Australian Guardianship and Administration Committee
- > Boarding House Expert Advisory Group.
- > AGD Capacity Reference Group
- > Department of Ageing, Disability and Homecare (DADHC) Accommodation Roundtable
- > DADHC Metro Residences Quality Review Group
- > Dementia Advisory Service (Western Sydney) Committee
- > Ombudsman's Disability Roundtable

OPG

This financial year the OPG was represented on the following external committees:

- > The Hunter Residences Lifestyle and Participation Workshops
- > Central Coast Primary Dementia Care Network - Legal issues working party
- > Northern Sydney Central Coast Area Mental Health Services and Developmental Disability Liaison Committee.
- > JGOS - NSW Joint Guarantee of Service for People with Mental Health Problems and Disorders living in Aboriginal, Community and Public Housing.
- > DADHC - Boarding House Expert Advisory Group



- > Criminal Justice Support Network meetings (CJSN)
- > Integrated Services State Reference Group
- > DADHC Metro Residences Quality Review Group
- > Dementia Advisory Service (Western Sydney) Committee
- > Adahps (AIDS Dementia & HIV Psychiatry Service) Advisory Committee

Conferences

AGAC Conference

THE 2007 AUSTRALIAN GUARDIANSHIP AND ADMINISTRATION COMMITTEE CONFERENCE

Staff from both the OPC and OPG attended the conference and presented papers.

The Australian Guardianship and Administration Committee conference was held in Melbourne, Victoria on March 2007 and was hosted by the Office of the Public Advocate, State Trustees and the Victorian Civil and Administration Tribunal. The conference explored issues facing guardians and advocates, administrators and guardianship tribunals who help ensure a secure future for people with a disability.

The conference provided a premium forum for the discussion of guardianship issues, and an opportunity to look at ways that other states and territories guardianship organisations are approaching similar issues faced by OPG.

Health and Safety

The Occupational Health and Safety Committee consists of elected employee representatives and management representatives. The committee met nine (9) times in the financial year. The committee undertakes a range of activities to promote staff awareness in OHS and risk management. The main issues dealt with included reviewing incident reports within our organisations to minimise any risks, workplace inspections, maintenance of first

aid facilities, workplace violence, security and cleaning. The committee also played an active role in developing emergency evacuation procedures.

Workplace accidents are reported in Risk Management and Insurance on page 47. There were no prosecutions.

Consultants

OPC and OPG did not engage any consultants this reporting period.

Electronic Service Delivery

OPC is investigating the expansion of the electronic lodgment and payment of Telstra bills to other utilities. This is in addition to continuing to improve electronic systems generally to allow clients and private managers to interact with us electronically where they are able and it is appropriate.

OPC is also continuing its investigations into the electronic lodgment of Private Managers' accounts and a direct debit system for payment of private management fees.

OPC continues to use electronic means to purchase and communicate with suppliers in the administration of the organisation.

Grants

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

Land Register

OPC and OPG do not own land and no land owned by OPC or OPG was sold or disposed of this year.

Legal Changes

There have been no significant legal changes during the reporting period.

Overseas Trips

No OPC or OPG staff member undertook an overseas trip during 2006-2007.

Privacy Management

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.

We respect the privacy and confidentiality of that information. Depending on how the information is collected the OPC has to follow the Information Protection Principles set out in the Privacy and Personal Information Protection Act 1998 or the Health Privacy Principles set out in the Health Records and Information Privacy Act 2002.

OPC needs the information it collects to enable it to understand the person's needs and to plan for the management of their estate. We sometimes have to share information with other government agencies and service providers to ensure the person is appropriately supported and gets the right income.

OPC provides clients and stakeholders with privacy information through our Privacy Fact Sheet and a privacy page on our website.

OPC Publications

Publication	Format
Protective Commissioner and Public Guardian 2005-2006 Annual Report	Report
OPC 2005-2006 Annual Report Highlights	Brochure
<i>OPC News</i> (2 editions)	Newsletter
<i>Managing</i> (2 editions)	Newsletter
<i>Connect</i> (2 editions)	E Newsletter
What happens after an order? (revised)	Fact Sheet/ Website
Authorised Visitor (Revised)	Fact Sheet/ Website
What are substitute decisions? (Revised)	Fact Sheet/ Website

Publication	Format
Reasons for decisions (Revised)	Fact Sheet/ Website
Sale or lease of property (Revised)	Fact Sheet/ Website
Purchase of property (Revised)	Fact Sheet/ Website
Deceased Estates (Revised)	Fact Sheet/ Website
Financial Planning and Investments (Revised)	Fact Sheet/ Website
Claims for Past Care (Revised)	Fact Sheet/ Website
How to seek review or revocation of a financial management order (Revised)	Fact Sheet/ Website
Facts on fees (Revised)	Fact Sheet/ Website
Your rights as a victim of crime (Revised)	Fact Sheet/ Website
Review of decisions administrative decisions tribunal (Revised)	Fact Sheet/ Website
Questions about OPC's new structure	Fact Sheet/ Website
Privacy	Fact Sheet/ Website
Have your say – Complaints/ Feedback	Fact Sheet/ Website
Requests for aids and equipment for OPC clients	Fact Sheet/ Website
OPC and OPG Annual Report 2006-2006	Report
Onguard! (7 editions)	Newsletter
32 Life Pieces art exhibiton	Catalogue



Risk Management and Insurance

Workers' Compensation Insurance Claims 2006 - 2007

	03-04	04-05	05-06	06-07
No of Employees	261	252	340*	333
No of Claims	7	4	21	14
Total Cost of claims \$'000	21.8	15	105	79.2
Average Claims per employee	0.026	0.016	0.062	0.042
Average cost per employee \$	83	60	309	238

* The increase in the number of staff is because OPG has 82 staff and these were not included in previous years.

Motor Vehicle Insurance Claims 2006 - 2007

	04-05	05-06	06-07
No of Vehicles	7	14*	14
No of Claims	4	0	0
Total Cost of claims \$'000	5	0	3
Average Claims per vehicle	0.57	0	0.21
Average cost per vehicle \$	714	0	229.71

Note: OPC fleet has been reduced to 6 at 30/06/2007

* The increase in the number of vehicles is because OPG has 7 vehicles and they were not included in previous years.

Government Energy Management Policy (GEMP) and Waste Reduction and Purchasing Policy (WRAPP)

OPC and OPG's environmental goals are to:

- > Reduce energy usage in buildings
- > Improve waste management by paper recycling
- > Using "green" recycled products where cost effective

OPC & OPG continue to encourage staff to improve efficiency in the use of energy. Ways in which 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 work breaks and not printing e-mails unless necessary.

Savings have also 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 reduced the number of Annual Reports printed last reporting period and will continue to print minimal numbers. People are encouraged to access an electronic version of the report through the website.

Works in Progress

The total cost of works in progress in OPC at the end of the financial year was \$1.5m for computer software enhancements.

When the job is completed, the balance will be transferred to the asset account and will be depreciated on a monthly basis.