

YOUR RIGHT TO REQUEST A REVIEW OF DECISION

Who is the Public Guardian?

The Public Guardian promotes the rights and interests of people with disabilities through the practice of guardianship, advocacy and education. The Guardianship Tribunal appoints the Public Guardian. The Public Guardian is part of the Department of Attorney General and Justice. The Public Guardian is Mr Graeme Smith.

What does the Public Guardian do?

The Public Guardian makes health and welfare decisions for people who have a disability and are unable to make their own decisions. The Public Guardian employs staff to help with this task. These people are called guardians.

What if I disagree with the Public Guardian's decision?

If you disagree with a decision, you can ask for a review of decision. You can begin by asking the guardian for the reasons for decision in writing. The reasons for decision will then be sent to you within 28 days of your request. After receiving the reasons for decision, you can request a review of decision. Your request should be made within 28 days of receiving the reasons for decision report. This request must be made in writing and sent by mail or email to the Complaints Support Officer.

What happens when I request a review of a decision?

Following receipt of your request an internal review of decision is undertaken by the Assistant Director Operations who can change or confirm decisions made by guardians. The outcome of the review of decision will be sent to you in a report within 21 days of your request for review.

There are certain circumstances where a request for a review will be declined, for example if a request is made out of time or if the matter has been previously dealt with and finalised. Ultimately it is up to the reviewing officer to consider these requests on the merit of each individual case.

What if I disagree with the outcome of the review of a decision?

If you disagree with the outcome of the review you can ask the NSW Administrative Decisions Tribunal (ADT) to review the Public Guardian's decision. You need to make an application to the ADT within 28 days of receiving the Public Guardian's review of decision report. For more information contact the ADT on 02 9223 4677.

What if I want to stop the Public Guardian implementing a decision?

You can ask the ADT to stop a decision from being implemented. This is called a "stay of decision". For more information contact the ADT.



What if I'm unhappy with the Public Guardian?

The Public Guardian's complaints process is different to the review process. You can make a complaint in writing by email, letter or fax. If you need assistance with your complaint you can contact the Complaints Support Officer by phone. For information about complaints please refer to the Public Guardian's fact sheet "**Your Right to make a Complaint**".

For more information you can contact the Public Guardian's Complaints Support Officer:

Phone: 02 8688 6060 or country callers 1800 451 510
Fax: 02 8688 9797
Email: informationsupport@opg.nsw.gov.au
Post: Public Guardian, Locked Bag 5116 Parramatta NSW 2124
Website: www.lawlink.nsw.gov.au/opg