

# Who we are

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The Public Trustee has been serving Queenslanders since 1916 and is governed by the *Public Trustee Act 1978*. The Public Trustee is self-funding and operates as a corporation sole, delivering professional and accessible financial, trustee and legal services to the people of Queensland.

We provide:

- prudent management of the financial assets of our clients
- support for vulnerable members of the community
- an orderly succession of assets between generations
- life-planning assistance to the Queensland community by making Wills free of charge and enduring power of attorney (EPA) documents at an affordable cost.

## Where to find us

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Our services are delivered through a network of regional offices in the following locations, including our head office at 444 Queen Street, Brisbane:



- Brendale
- Brisbane
- Birtinya
- Bundaberg
- Cairns
- Gladstone
- Ipswich
- Mackay
- Maryborough
- Mount Isa
- Redcliffe
- Rockhampton
- Southport
- Toowoomba
- Townsville

We also provide services outside of the above locations through the Queensland Government Agent Program and the local court networks. For further information on the location of our offices or outreach locations please refer to pages 50-52 of the report. Alternatively, you may also visit our website at [www.pt.qld.gov.au](http://www.pt.qld.gov.au).

## Our vision

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To be the independent trustee for Queenslanders providing security and peace of mind.

## Our purpose

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To lead the evolution and delivery of trustee, estate and administration services that make a positive difference in the lives of Queenslanders.

We provide professional and accessible:



Estate administration services



Financial management for those with impaired capacity for decision-making



Legal services



Trusts administration



Tax and investment services



Life-planning services including making Wills, EPAs and Advance Health Directives



Safe and secure storage of Wills and other life-planning documents



Real estate services



Philanthropy facilitation

We also:

- administer unclaimed moneys for the State of Queensland
- manage the estates of prisoners under Part 7 of the *Public Trustee Act 1978*
- carry out special functions of a public nature under Part 5 of the *Public Trustee Act 1978*
- promote and support community education on elder abuse.

## Our legislation

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The Public Trustee administers the *Public Trustee Act 1978*. We have a wide range of powers and functions, and operate under many other Acts including:

*Acquisition of Land Act 1967*  
*Adoption Act 2009*  
*Agents Financial Administration Act 2014*  
*Airports Assets (Restructuring and Disposal) Act 2008*  
*Associations Incorporation Act 1981*  
*Body Corporate and Community Management Act 1997*  
*Building Units and Group Titles Act 1980*  
*Charitable Funds Act 1958*  
*Child Protection Act 1999*  
*Child Protection (International Measures) Act 2003*  
*Civil Partnerships Act 2011*  
*Collections Act 1966*  
*Corrective Services Act 2006*  
*Criminal Proceeds Confiscation Act 2002*  
*Debt Collectors (Field Agents and Collection Agents) Act 2014*  
*Disposal of Uncollected Goods Act 1967*  
*Drugs Misuse Act 1986*  
*Financial Accountability Act 2009*  
*Gaming Machine Act 1991*  
*Guardianship and Administration Act 2000*  
*Human Rights Act 2019*  
*Industrial Relations Act 2016*  
*Information Privacy Act 2009*  
*Integrated Resort Development Act 1987*  
*Land Act 1994*  
*Land Sales Act 1984*  
*Legal Profession Act 2007*  
*Liquor Act 1992*  
*Local Government Act 2009*  
*Manufactured Homes (Residential Parks) Act 2003*  
*Mineral Resources Act 1989*  
*Mixed Use Development Act 1993*  
*Motor Dealers and Chattel Auctioneers Act 2014*  
*National Injury Insurance Scheme (Queensland) Act 2016*  
*Personal Injuries Proceedings Act 2002*  
*Police Powers and Responsibilities Act 2000*  
*Powers of Attorney Act 1998*  
*Property Law Act 1974*  
*Property Occupations Act 2014*  
*Public Guardian Act 2014*  
*Public Interest Disclosure Act 2010*  
*Public Officers Superannuation Benefits Recovery Act 1988*  
*Public Records Act 2002*  
*Public Sector Ethics Act 1994*  
*Public Service Act 2008*  
*Residential Services (Accreditation) Act 2002*  
*Residential Tenancies and Rooming Accommodation Act 2008*  
*Retirement Villages Act 1999*  
*Right to Information Act 2009*  
*Sanctuary Cove Resort Act 1985*  
*Second-hand Dealers and Pawnbrokers Act 2003*  
*South Bank Corporation Act 1989*  
*Storage Liens Act 1973*  
*Succession Act 1981*  
*Surrogacy Act 2010*  
*Trust Accounts Act 1973*  
*Trustee Companies Act 1968*  
*Trusts Act 1973*  
*Victims of Crime Assistance Act 2009*  
*Workers' Compensation and Rehabilitation Act 2003*  
*Work Health and Safety Act 2011*  
*Youth Justice Act 1992*

## Official Solicitor

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The Official Solicitor is the Public Trustee's in-house legal advisor and is appointed pursuant to section 16 of the *Public Trustee Act 1978*.

The Official Solicitor provides advice and conducts litigation on behalf of the Public Trustee in many different roles. These services include:

- providing legal advice and conducting litigation in circumstances where the Public Trustee is appointed personal representative of deceased estates
- providing legal advice and conducting litigation when the Public Trustee is appointed administrator for an adult with impaired decision-making capacity
- conveyancing, leasing and other property related transactions on behalf of estates under administration and the Public Trustee as a corporation sole.

**The Official Solicitor** has identified a number of trends in the work undertaken on behalf of the Public Trustee, for example:

- The Public Trustee continues to be appointed administrator for an adult with impaired capacity in circumstances where that adult has been the subject of elder financial abuse. The Official Solicitor offers advice on the prospects of recovery of property or money misappropriated. These are often difficult cases where the adult for whom the Public Trustee is appointed administrator (as a result of the misappropriation) is of limited means to support litigation. In addition, it is often the case that the funds or property misappropriated have been dissipated by the person who has acted improperly.
- The Public Trustee continues to see an increase in the number of clients with complex financial affairs. For example, clients who have set up corporate structures for their Self-Managed Superannuation Fund, or to conduct a business.
- There continues to be a large number of referrals to the Official Solicitor in relation to family provision applications, often in circumstances where the Public Trustee has been appointed as financial administrator for an adult who is the child of a deceased person. There were 97 referrals to the Official Solicitor in the last year in relation to potential applications and 60 referrals to the Official Solicitor where the Public Trustee is administering the deceased estate. Importantly, of the 18 mediations that the Official Solicitor attended during the year involving a family provision application (whether representing the Applicant or the Respondent) 16 were resolved at mediation.
- Family provision applications are the most frequent kind of litigation the Official Solicitor is involved in for the Public Trustee. A family provision application is made to the Supreme Court or District Court by an eligible person seeking provision (or further provision) for their proper maintenance and support out of the estate of a deceased person. Part 4 of the *Succession Act 1981* ("the Act") deals with family provision applications. To be eligible the person must be a spouse, child or dependant of the deceased, as defined in the Act. The majority of these matters are resolved by negotiation and the court, exercising its discretion, making a final order. At times, the relevant parties might reach an agreement before any application is commenced in the court. There are timeframes which apply to bringing a family provision application. An estate is not able to be distributed until the relevant timeframe has passed or the matter has resolved.
- Where the Public Trustee is the administrator for an adult with a legal incapacity who has not

been adequately provided for, the Public Trustee might bring the application against the estate as litigation guardian for the adult.

- Where the Public Trustee is administering a deceased estate, the Public Trustee as personal representative for the estate of the deceased would be the Respondent if someone commences a family provision application against the estate.

## Making a positive difference in the lives of Queenlanders

- The Official Solicitor acted for the Public Trustee in an unusual estate matter where a man had two identities. The man, going by a name with initials LW, died without having made a Will, it seemed. A death certificate had been issued for LW and the Public Trustee was granted an Order to Administer his estate on intestacy. As a result of the Public Trustee's investigations, the Public Trustee then came to believe that LW was in fact the same person as a man whose name had the initials RAH, and who made a Will in 1971. The Public Trustee applied to the Supreme Court and sought orders:
  - (a) declaring that LW is one and the same as RAH
  - (b) correcting the Births, Deaths and Marriages Register to register RAH's death
  - (c) revoking the Public Trustee's Order to Administer on intestacy for LW and, subject to the formal requirements of the Probate Registrar, granting him an Order to Administer RAH's estate according to his Will.
- Another kind of litigation in which the Official Solicitor acts for the Public Trustee relates to recovery of money or property for an adult with a legal incapacity who has had their funds or assets misappropriated. In one matter, the Public Trustee as administrator for the adult investigated, and took action on, the misappropriation by her former attorney son and daughter-in-law who had sold the adult's property and used the sale proceeds to buy a property in the son's own name. The Public Trustee lodged a caveat on the property (formal notice advising that the adult had an interest in the property) and commenced proceedings in the Supreme Court against the son and daughter-in-law. The court gave judgment and declared that the son held the property on constructive trust for the adult, his mother. The judge ordered that the adult be registered as the owner of the property and the son be removed as owner.

## Our 2018–19 achievements

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### Driving value for clients

- \$37.1 million in Community Service Obligations delivered at no cost to Government including:
  - \$28.1 million in fees rebated for clients with limited assets
  - 28,426 Wills made at no cost to Queenslanders
  - public education in areas such as Wills and EPAs with an emphasis on life-planning assistance
  - funding for a range of community services through the Office of the Public Guardian and the Civil Law Legal Aid Scheme administered by Legal Aid Queensland
- financial management for 9151 adults with impaired decision-making capacity
- managing the estates of 548 prisoners
- acting as financial attorney for 258 clients
- managing 4467 trusts
- making 3684 EPAs
- accepting 2135 new deceased estates for administration and further reducing our average time to administer
- continuing to enhance frontline service delivery through:
  - introducing our Client Service Charter and Standards, demonstrating our commitment to partnership, respect, ownership, understanding and delivery
  - undertaking research on the client experience through client focus groups
  - establishing a specialist Centre of Excellence for complex estate administration matters
- expanding and promoting our real estate model to enhance the overall client experience for deceased estates and financial management administration services including the sales of 267 properties valued at approximately \$110 million.



### Sustainable reinvestment to support business objectives

- investing in capital upgrades for regional offices in recognition of our commitment to regional service delivery
- investing in digital capability, to increase access to, reliability and scalability of Public Trustee services. Key initiatives have included:
  - new contact centre capabilities
  - fee estimator tools for services

- paperless communication options
- improved insight through analytics and primary customer research
- improved data centre and network services.



## Strengthening confidence and value in our services

- strengthening relationships with a wide variety of stakeholders including other agencies and community groups, including:
  - hosting our annual Queensland Wills Week to promote the importance of every Queenslanders over the age of 18 having an up to date Will
  - collaborating with the Department of Communities, Disability Services and Seniors, the Office of the Public Guardian and members of the community to promote and participate in elder abuse awareness activities
  - strengthening our partnership arrangements across the private and public sector, with the aim of enhancing accessible and effective regional service delivery for all Queenslanders
- continuing to support philanthropic endeavours through the financial management of charitable and philanthropic trusts
- introducing a range of professional uniform options for frontline staff.



## Targeted and effective service delivery

- supporting Public Trustee clients who are eligible for the National Disability Insurance Scheme, and ensuring all eligible clients are registered for the Scheme
- continuing to undertake client surveys to measure service effectiveness and client satisfaction for administration of deceased estates, financial management, trusts administration, and Wills and EPA services (results are available on page 18)
- fostering expertise in service delivery through operating six Centres of Excellence which allow us to achieve economies of scale (Testamentary Trusts, Minors Trusts, Group Housing, Prisoners, Residential Care and Advanced Residential Care)
- focusing, through our Centres of Excellence, on improved communication, faster and more consistent responses to client enquiries, streamlined processes and identifying best practices.



## Engaging and empowering our workforce

- Engaging and empowering our workforce through:
  - a suite of training modules and resources which all employees must complete upon commencement with the Public Trustee, and refresh annually, including

Challenging Behaviour Management, Code of Conduct, Emergency Awareness, Work Health and Safety, Cybersecurity awareness, Information Privacy, Right to Information, Fraud and Corruption Control and Recordkeeping and File Management

- specialist disabilities training for more than 70 staff who have completed the Virtual Dementia Tour™, an immersive training program which simulates the experiences of people living with dementia
- frontline service delivery training (Technical Training) commencing with foundational skills for entry level officers and progressing to complex critical thinking, judgement and problem solving skills relating to Deceased Estates, Financial Management and Trusts
- awareness sessions aimed at empowering frontline teams to resolve issues at the first point of contact
- developing and delivering, in partnership with the Australian Institute of Management, the Client Experience and Delivery Supervisor Workshops for employees which focus on self-awareness and management, the skills to supervise and lead small teams, as well as how their work impacts on organisational outcomes
- a Leadership and Management Development Program for employees, delivered by the Queensland University of Technology (QUT) and aimed at developing the capability and competency of middle managers
- Working for Queensland Survey Workshops on employee engagement and empowerment. The workshops were conducted across 28 business areas and included activities based on local Highlight Reports and the development of local action plans to progress improvement activities.

# Making a positive difference in the lives of Queenslanders

As part of our ongoing commitment to deliver services which are valued by the community, the Public Trustee introduced some initiatives in 2018–19 aimed at enhancing our customer-focussed culture, including:

- *Through their Eyes* is an internal staff awareness campaign designed to highlight the customer perspective, enhancing customer centricity and improving confidence and morale. Featuring video testimonials from clients, visual aids and key messaging, the purpose of the campaign activities is to bring our customer personas to life, advancing staff connectedness to the organisation's purpose to make a positive difference in the lives of Queenslanders, by improving customer engagement.
- In order to augment clinical, technical and leadership training undertaken by frontline teams, more than 70 frontline Trust Officers, our Disability Support Officers, and many of the Executive Leadership Team have completed the immersive Virtual Dementia Tour™. The purpose of this evidence-based training, developed by a geriatric specialist, is to raise awareness of the challenges those with dementia face, building deeper understanding and empathy for our clients' situations. The training enables staff to experience real life scenarios including physical and mental challenges, and enhances their ability to recognise the behavioural and psychological symptoms of dementia. This in turn better equips staff to improve communications, building meaningful and positive connections with our ageing clients living with dementia, in order to provide better person-centred service delivery.
- Building on our understanding of the customer journey and current feedback, the Public Trustee has enlisted a community of customers to engage in the process of re-designing processes as part of our business transformation. This approach aims to ensure that the Public Trustee's service delivery is tailored to meet changing customer needs and may be evidenced via more choice for customers in how they interact with us (for example, self-service through our website) or identifying which elements of our service delivery are of the most important to them as individuals.

## Our strategic direction

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Our strategic direction is documented in our Strategic Plan, which can be accessed on our website. The Strategic Plan sets the parameters for our strategic direction to staff, clients and stakeholders. It also outlines how we will contribute to the achievement of the Queensland Government's objectives for the community, our priorities and our strategies. It includes performance indicators determining how our objectives will be measured.

## The year ahead

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To support our strategies, our key priority for 2019–20 continues to be our business transformation initiative to deliver organisational capability, process and technology changes aligned with our strategic objectives and to support future business needs.

The business transformation will enable us to deliver the following strategic objectives:



**Drive value for clients through tailored services to meet changing needs**



**Embrace business transformation to enhance capacity to provide service excellence**



**Deliver services that are valued by the community and the Government**

Our business transformation program will drive a culture of continuous improvement and business service evolution to meet current and future client needs including making it easier, faster and more efficient for people to access our information and services. The program includes replacing the Public Trustee's core client information systems, digitisation projects which will deliver organisation efficiencies and sustainable business practice improvement, and establishing platforms to deliver a truly omnichannel service (using a variety of platforms) to allow our customers to interact with us in the way they prefer.

The program's business service design has established our future service delivery requirements resulting in a transformation roadmap, future service blueprints and several future technology viewpoints. The Program Board ensures good governance practices, including consistent assurance processes to support the successful delivery of Information and Communications Technology initiatives, in accordance with the Queensland Government Chief Information Office's *Program and Project Assurance Framework*.

The program is expected to result in improved records management and systems integration, allowing standardisation and automation of processes and enhanced workflow capabilities, enabling a focus on client service. In addition, there will be an increase in the number of channels available for client engagement - facilitating opportunities for client self-service.

The combination of efficiency gains, improved analytics and opportunities for self-service will drive improved client and staff interactions, and is anticipated to significantly enhance our clients' experience.

Additional key priorities for 2019–20 include:

- delivering quality frontline services that respond to changing client and community needs including providing ongoing financial management for Queenslanders with impaired financial decision-making capacity
- driving value for clients by focussing on reducing the average time taken to administer deceased estates
- continuing to provide a range of Community Service Obligations
- further implementing digital transformation to enhance core business platforms and build strong digital capabilities
- developing a Strategic Asset Management Plan to drive further investment in regional office facility upgrades to better serve clients

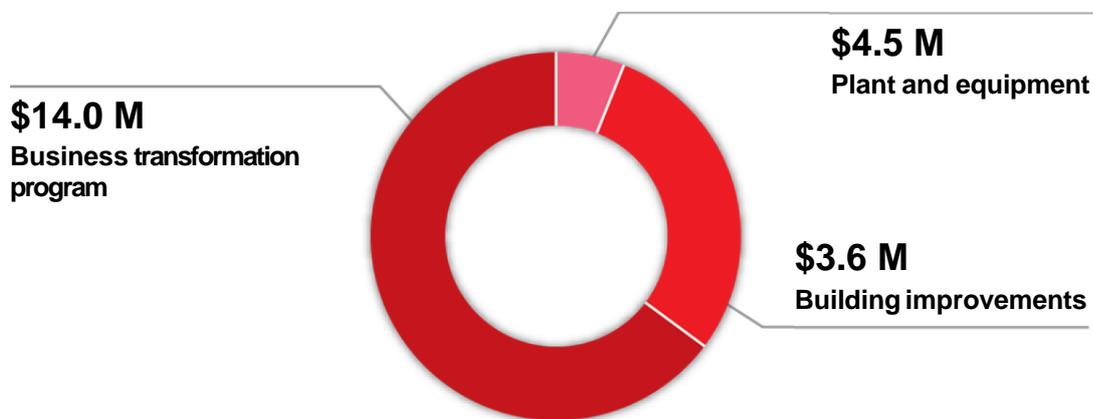
- reviewing the investment objectives of the Common Fund
- reviewing our fees and charges
- continuing to provide services to the philanthropic sector.

In 2019–20, we will respond to key factors impacting on the Public Trustee to ensure our business operations continue to be sustainable and responsive to client needs by:

- enhancing knowledge and capability to enable us to meet the needs of clients with more complex asset structures or who are entering residential aged care
- delivering training and support to ensure Trust Officers are equipped to respond to amendments to the *Guardianship and Administration Act 2000*, including supported decision-making
- considering the service delivery impact of the *Human Rights Act 2019* and implementing the necessary changes required by the legislation
- committing resources to support clients who may have a claim under the National Redress Scheme
- achieving service delivery efficiencies to enable us to meet the increasing demand for services eligible for Community Service Obligation rebates.

We are committed to providing efficient, quality services to our clients. We continue to redevelop regional offices to improve frontline service delivery, efficiency and accessibility for all clients, and to maintain appropriate work health and safety standards for clients and staff.

During 2019–20 capital expenditure is estimated to be \$22.1 million comprised of:



# Our strategic challenges and opportunities

In developing our Strategic Plan, we considered the major challenges facing Queensland now and into the future, and how they will impact the Public Trustee. We have identified a number of key risks and opportunities in achieving our vision and purpose, as illustrated below.



## Strategic Plan 2016–2020\*

### Our Vision

The independent trustee for Queenslanders providing security and peace of mind

### Our Purpose

Lead the evolution and delivery of trustee, estate and administration services that make a positive difference in the lives of Queenslanders

We contribute to the Queensland Government's objectives for the community, outlined in *Our Future State: Advancing Queensland's Priorities to Be a responsive Government*, through our work in guardianship supporting vulnerable Queenslanders, facilitating the orderly transfer of assets, and by providing life planning assistance through our will-making and enduring powers of attorney services delivered through our network of regional offices.

Objectives and Strategies	Performance Indicators
 <p><b>Drive value for clients through tailored services to meet changing needs</b></p> <ul style="list-style-type: none"> <li>Partner with clients to identify changing needs and demand for services from 2023 onwards</li> <li>Tailor service delivery methods to meet changing client needs and regional diversity</li> <li>Improve communication and information sharing channels for all clients</li> <li>Strengthen and improve core services</li> </ul>	<p><b>Client focus</b></p> <ul style="list-style-type: none"> <li>Client service targets are met</li> <li>Client satisfaction levels are improved</li> <li>Increased take up of services, including new delivery channels</li> <li>Improved accessibility of services</li> </ul>
 <p><b>Deliver a budget position which enables sustainable reinvestment to support business objectives</b></p> <ul style="list-style-type: none"> <li>Generate sufficient revenue to guarantee ongoing viability, ensuring we cover the cost of our community service obligations</li> <li>Continue to review our cost base to ensure efficient service delivery</li> <li>Optimise return on our assets to meet business objectives</li> </ul>	<p><b>Financial</b></p> <ul style="list-style-type: none"> <li>Services and initiatives are delivered within approved budgets</li> <li>Return on assets is improved</li> </ul>
 <p><b>Deliver services that are valued by the community and the Government</b></p> <ul style="list-style-type: none"> <li>Promote knowledge and benefit of the Public Trustee's services</li> <li>Collaborate and partner with community organisations and government to understand their needs</li> <li>Strengthen positive engagements with our clients and their support networks</li> <li>Enhance accessible and effective regional service delivery for all Queenslanders</li> <li>Ensure our leadership and governance frameworks enable us to effectively respond to challenges</li> </ul>	<p><b>Stakeholder focus</b></p> <ul style="list-style-type: none"> <li>Engagement and partnership activities with client and stakeholder networks are increased</li> <li>Stakeholder engagement and satisfaction metrics frequently analysed and improvements implemented</li> </ul>
 <p><b>Embrace business transformation to enhance capacity to provide service excellence</b></p> <ul style="list-style-type: none"> <li>Regularly review and assess service models for our core functions</li> <li>Develop new information and communication technology (ICT) infrastructure to improve efficiency and enhance client experience</li> </ul>	<p><b>Process</b></p> <ul style="list-style-type: none"> <li>Service effectiveness and efficiency metrics are met</li> <li>Service delivery innovation</li> </ul>
 <p><b>Ensure our workforce is engaged, empowered and agile</b></p> <ul style="list-style-type: none"> <li>Build upon our professional and capable workforce to increase and update skills, knowledge, attitude and expertise to meet client and stakeholder expectations now and into the future</li> <li>Improve workforce agility through knowledge management, diversity and inclusion strategies, that are flexible by design</li> <li>Align workforce engagement strategies to our business transformation activities</li> </ul>	<p><b>People</b></p> <ul style="list-style-type: none"> <li>Improvement in workforce capability</li> <li>Improvement in workforce satisfaction</li> <li>Improvement in inclusion and diversity profiles</li> </ul>

Key Opportunities	Key Risks	Our Values <small>We align to the Queensland Public Service values</small>
<ul style="list-style-type: none"> <li>Deliver quality frontline services that respond to changing client and community needs</li> <li>Implement new technology and business processes that help to manage technology and social media risks</li> <li>Strengthen our leadership to empower our staff for the future</li> <li>Drive innovative solutions that will better manage demand for services and maximise benefits to Queenslanders</li> <li>Use technology and customer insights to transform the way we do business in an increasingly digital future</li> </ul>	<ul style="list-style-type: none"> <li>Increasing demand for services for vulnerable Queenslanders may increase our community service obligations, impacting our ability to fund services at no cost to Government</li> <li>Reputational damage impacts the confidence that the community and the Government has in our services</li> <li>Changing economic factors, government priorities and customer expectations adversely affect the sustainability of our business model</li> </ul>	    