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An electronic copy of The Public Trustee of Queensland Annual Report 2022–23 is available online at [www.pt.qld.gov.au.](http://www.pt.qld.gov.au/) You can also contact us to request a copy by calling 1300 360 044 or emailing governance@pt.qld.gov.au

A number of annual reporting requirements are also addressed through publication of information on the Queensland Open Data website at [https://www.data.qld.gov.au/.](https://www.data.qld.gov.au/)

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Content from this annual report should be attributed as**:** The Public Trustee of Queensland annual report 2022–23.

Our acknowledgment

We acknowledge the Australian Aboriginal peoples and Torres Strait Islander peoples of this nation, the traditional custodians of these lands. We pay our respects to their ancestors, our First Nations peoples, their spirits, and their legacy which give strength, inspiration and courage to current and future generations, both Indigenous and non-Indigenous, towards creating a better Queensland.

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410 Ann Street Brisbane Qld 4000

GPO Box 1449 Brisbane Qld 4001

31 August 2023

The Honourable Yvette D’Ath MP

Attorney-General and Minister for Justice,

Minister for the Prevention of Domestic and Family Violence

GPO Box 149

Brisbane QLD 4001

Dear Attorney-General

I am pleased to submit for presentation to the Parliament the Annual Report 2022-2023 and financial statements for the Public Trustee.

I certify that this Annual Report complies with:

* the prescribed requirements of the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2019*, and
* the detailed requirements set out in the *Annual report requirements for Queensland Government agencies*.

A checklist outlining the annual reporting requirements is provided at page 115 of this annual report.

Yours sincerely

Samay Zhouand

Public Trustee of Queensland and CEO

**CEO Report**

Throughout the last year, the Public Trustee has continued to transform into a more transparent and modern customer-centric organisation that Queenslanders can trust. Through the Customers First Agenda 2021-2026, transformation has extended to all parts of the Public Trustee, from the services we deliver, to the support we provide our staff.

We continued using our Structured Decision-Making Framework, an industry-leading framework that is the first of its kind for state trustees in Australia, to support our staff and ensure that we engage with our customers on an individual basis, to consider their views, wishes and preferences as well as their human rights, as part of our decision-making.

We have built ways for our financial management customers to regain control of their finances. Our Financial Independence Pathway continues to support customers to recover management of their financial matters through education and skill building. In 2022-23, 18 program participants successfully had the Public Trustee’s appointment revoked. In addition, the trial referral pathway with Queensland Advocacy for Inclusion (QAI) supports customers who wish to regain management of their finances by providing independent support and advice on seeking a review of the Public Trustee’s appointment. In 2022-23, 89 customers were referred to QAI with two customers successfully having the Public Trustee’s appointment revoked.

We improved the information and support we provide to our Financial Management, Minors and Trust customers by updating our Statements of Account to make them easier to read and be understood by our customers. The customer support network initiative has improved our engagement with customers and their support network through improved communication letters, better resources to collect customer information, and quarterly webinars with customer support networks to share information and enable them to ask questions about the Public Trustee. We are also extending the publicly available information about the Public Trustee and its services, on our website and in our communication with our customers at all stages of our appointment.

The new State-wide Assistance Team has assisted in giving frontline staff more time to focus on customer facing work while our Welcome Desk has been upskilled to address most customer payment enquiries at the first point of contact.

Staff training continues to be a focus to improve service delivery and customer satisfaction. Our staff undertook Customer Service Essentials training as well as diversity awareness training with modules relating to First Nations peoples, increasing awareness of LGBTQI+ communities, culturally and linguistically diverse communities and people with disabilities. We obtained White Ribbon Workplace Accreditation as part of our commitment to building a workplace that fosters inclusion and diversity.

We continue to work with the community to promote informed choices about advance life planning, and the awareness and prevention of financial abuse of elderly Queenslanders. Through our trusteeship of five philanthropic charitable trusts, we support vulnerable Queenslanders through a number of initiatives, including education, housing and aged care support.

Since receiving the fees and charges review report and having it tabled, we have been working through the recommendations and are ensuring that a regulatory impact assessment is undertaken to understand service sustainability and identify impacts to our customers. We look forward to consultation being undertaken later this year so that we understand the important views of our customers and stakeholders.

These achievements, as well as those that are not outlined above, illustrate the ongoing commitment our dedicated staff have to transform the Public Trustee, for the benefit of our customers and the Queensland community.

Samay Zhouand

**Public Trustee of Queensland and Chief Executive Officer (CEO)**

# About the Public Trustee

The Public Trustee has been serving Queenslanders since 1916 and is governed by the *Public Trustee Act 1978*.

The Public Trustee is a self-funded public entity providing essential support, services, and education to Queenslanders in financial administration, life planning, trusts, and deceased estate management. The Public Trustee has a key role in Queensland’s guardianship and administration system.

We actively engage with the community to increase awareness and understanding of life planning, promoting choice and action for individuals to protect their financial futures.

**Our vision is to be a value for money, independent state trustee service dedicated to advancing and safeguarding the rights, interests and wishes of Queenslanders in need of financial management, estate and trust administration and planning support.**

**Our purpose is to provide trusted financial decision-making advocacy, education and services and empower Queenslanders to plan and prepare for key life events.**

Specialist life and estate services we provide include:

* financial administration and financial attorney services for those with impaired capacity for financial decision-making: we assist customers with their financial needs, including budgeting and financial planning
* life-planning services: making Wills and Enduring Power of Attorney (EPA) documents and the safe and secure storage of Wills and other life-planning documents
* estate administration services: we provide executorial services when acting as executor or administrator of a deceased estate and we assist private customers to obtain grants of representation for deceased estates through the Probate registry of the Queensland Courts
* trusts administration: we provide trustee services for a range of trusts including testamentary trusts and family trusts. We are also the trustee for charitable trusts including the promotion and facilitation of strategic financial welfare to identified and targeted philanthropic beneficiaries
* tax and investment services: we provide advice, investment solutions and the provision of taxation services to the Public Trustee and its customers to ensure the prudent management of funds
* real estate services: we are a fully licensed real estate agency and also facilitate the sale of our customers’ vehicles, goods and chattels.

We promote and support community education on a range of issues to promote awareness and informed choice, particularly for our most vulnerable.

Our functions also include:

* administering unclaimed moneys for the State of Queensland: we hold unclaimed money for Queenslanders who have lost touch with the organisation that owes them the money
* managing the estates of prisoners under Part 7 of the *Public Trustee Act 1978*
* carrying out special functions of a public nature under Part 5 of the *Public Trustee Act 1978*
* acting as an approved examiner of the accounts of private financial administrators and report to the Queensland Civil and Administrative Tribunal (QCAT)
* acting as a nominated person for financial matters under an EPA.

Our locations

Our services are delivered across Queensland through a network of regional offices and in Brisbane. For further information on the location of our offices or outreach locations please visit our website at [www.pt.qld.gov.au.](https://www.pt.qld.gov.au/)

# Strategic Plan 2020–2024

The 2022 update (for our 2022-23 financial year) of our **Strategic Plan 2020–2024** has driven the Public Trustee towards a more modern, professional and customer focused organisation to achieve our **vision** and **purpose**.

We have done this by:

* supporting Queenslanders with life-planning assistance and education
* providing reliable, independent and ethical services that protect our customers’ financial wellbeing
* building a modern, professional and customer-focused organisation
* providing value and support to our customers and the community.

Our **objectives** are:

|  |  |
| --- | --- |
| **Customers first** | Deliver an empathetic, customer-centric experience |
| **Our people** | Engaged, empowered people, and an employer of choice |
| **Integrity and financial responsibility** | Financially and socially responsible leadership and governance |
| **Community care and engagement** | Engage with our partners and the community to improve quality of life for Queenslanders |

Our people-focused approach helps us meet the individual needs of our customers with humanity, respect, integrity and diligence.

The Public Trustee's **Customers First** **Agenda** 2021-2026 articulates our strong customer-focused forward plan to deliver transformation objectives over a five-year journey.

The Customers First initiatives continue to be a focus of the Public Trustee along with leveraging technology to modernise service delivery. Through this Agenda, we aim to ensure that our actions are aligned to **customer support and access**, that we will continue to **learn and improve** as an organisation.

As an organisation, we will continue to focus on customer needs, wants and requirements. We also recognise and appreciate the value our customers’ support networks play in their lives and are engaging with them in a more positive and collaborative way, improving our customers’ experiences.

### Achievements in 2022-23

At a glance in 2022–23:

* 10,596 financial management customers[[1]](#footnote-1)
* 1,811 estates finalised, with funds distributed to the beneficiaries
* 1,904 new deceased estates accepted for administration
* 4,733 trusts administered
* 2,065 claims processed and $3.4 million paid out in unclaimed money
* 15,461 Wills made at no cost to Queenslanders[[2]](#footnote-2)
* 902 Enduring Powers of Attorney made
* 77 Probate and Letters of Administration applications managed for private customers
* 413 customer property sales managed
* 160,021 calls received at our Welcome Desk
* 11,357 online appointments were booked for our life planning services (represents 48% of the total bookings).

**Key achievements in 2022-23** include:

**Customers first**

* our **fees and charges review report** was tabled in Parliament in October 2022, providing the most comprehensive review of fees and charges in more than two decades. The report is the culmination of work that commenced in 2020 and includes benchmarking against comparable service providers and targeted and public consultation
* with the support of Government, we continued the freeze on the annual indexation of the Public Trustee’s fees and charges, and extended the freeze on additional real estate property and incidental outlays fees for financial management customers
* the **Financial Independence Pathway** program continues to provide successful outcomes for our financial management customers, illustrating the Public Trustee’s ongoing commitment to helping those customers achieve financial independence. Ninety-five customers are currently participating in the program and 18 customers achieved full independence in 2022-2023. The program educates, supports and empowers our financial management customers to manage their money, and ultimately achieve independence from administration, where possible. Customer fact sheets are accessible on our website[[3]](#footnote-3), along with the program’s practice guidelines
* establishing a trial referral pathway with Queensland Advocacy for Inclusion (QAI) to provide independent support and advice to customers seeking a review of the Public Trustee’s appointment as their financial administrator. Since the trial was launched in September 2022, 89 financial administration customers have been referred to QAI through this pathway, leading to 2 customers regaining control of their finances to date
* we continue to utilise our **Structured Decision-Making Framework,** a sector-leading seven-step process designed to support staff communication and decision-making, considering customer’s views, wishes, preferences and human rights in every decision we make
* developing and implementing a **customer support network initiative** to improve our communication with financial management customers at the beginning or end of the Public Trustee’s appointment, rolled out new recordkeeping resources to better capture our customer’s views, wishes and preferences, and implemented a Quarterly Support Network Webinar for our customers’ support networks to receive information about the Public Trustee and the services it provides
* continuing to provide **transparent, accessible, and timely communication to customers** by redesigning our Statement of Accounts for our Financial Management, Minors and Trust customers to make them easier to read and be understood by customers and their support network
* reviewing our **Family Provision framework** to ensure there is greater consultation with our financial management customers when considering making a family provision application on a customer’s behalf in a deceased estate. The aim is to better balance our customers’ views, wishes and preferences with our obligations as their financial administrator, and to have a greater focus on supportive and familial relationships to reduce the risk of family disharmony
* continuing to implement business improvements to deliver streamlined services for customers including the introduction of a new **State-wide Assistance Team** to assist in workload management, giving frontline staff more time to focus on customer facing work, and improving the capability of our **Welcome Desk** staff to address customer payment enquiries at the first point of contact
* through our **National Redress Scheme Unit**, we continue to build customer awareness of the Commonwealth Government National Redress Scheme and support our customers to navigate the application process to make a claim through the scheme relating to institutional child sexual abuse. In 2022-23, the Public Trustee assisted 40 customers with over $1 million in compensation secured through the scheme
* introducing a new **customer satisfaction survey** for our deceased estate customers to gain their valuable feedback during the administration of an estate
* developing and implementing initiatives for the administration of **small value deceased estates** including quicker distribution of estates with a value of less than $75,000
* delivering significant customer advances in **real estate services** by:
	+ transitioning to a new platform, enabling service efficiencies and automation of processes
	+ a new website that provides improved user experience for our customers and potential buyers, with greater search functionality and an automated and seamless interface to upload properties to relevant online internet portals
* strengthening **ICT and digital governance** processes and delivered a range of information management and cyber security measures
* upgrading a number of **ICT systems** which are used to provide frontline and enabling services for customers
* delivering improvements to the **regional network** through transition to the Queensland Government Regional Network which has resulted in faster ICT system access, leading to better customer service

**Our People**

* building staff capability through initiatives including delivering a new "**Customer Service Essentials**" training program to all employees, with additional comprehensive modules undertaken by frontline staff. The training program includes topics such as having difficult customer conversations, managing behaviours of concern and communicating with grieving customers
* achieving **White Ribbon Workplace Accreditation** demonstrating our commitment to gender equality and creating a safe workplace for everyone
* investing in the development of **empowered and engaged leaders** through establishment of a “Manager Essentials Program” commencing in August 2023 to equip leaders from AO4 – AO8 levels with foundational knowledge and skills in business essentials
* continuing the delivery of **training** to all new frontline staff to build their understanding of the Structured Decision-Making Framework to assist them to act in accordance with our obligations under *the Guardianship and Administration Act 2000* and *Human Rights Act 2019*
* supporting 68 staff to achieve a Certificate IV in Personal Trust Administration in 2022-23
* improving the health and wellbeing of our staff and fostering safety and inclusivity in our workplace through the introduction of the State-wide Assistance Team, support for flexible work practices across the Public Trustee and different approaches to managing incoming customer phone calls
* receiving improved results in the 2022 ***Working for Queensland survey*** indicating that our commitment to supporting and developing our workforce is creating positive change.

**Integrity and Financial Responsibility**

* growing our capacity to meet social and environmental responsibilities by continuing to implement our **Customers First Agenda** and **Social Responsibility Charter**
* maintaining an Independent Services function, which provides nation-leading accountability with combined assurance and oversight including:
	+ continuing the work of the office of the **Customer Advocate,** including a comprehensiveinternal review of the Public Trustee’s customer experience systems and processes as a direct action to identify areas for systemic improvement
	+ delivering awareness sessions on ethics and integrity trends and hot topics emerging in the Public Trustee, promoting personal compliance matters including secondary employment declarations
* appearing before and providing information to the Commonwealth Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability along with other government bodies, representatives and persons with lived experience across Australia
* delivering induction and refresher training on the *Code of Conduct for the Queensland Public Service* for new and existing staff
* strengthening and promoting our **governance frameworks** by reviewing Public Trustee Governance bodies and their terms of references to update and clarify roles and responsibilities
* reviewing the investment strategy of the Common Fund and revising asset allocation by the Public Trust Office Investment Board to achieve the investment objectives with a lower level of risk. The Public Trust Office Investment Board continues to review the investment strategy on a quarterly basis and performance is reviewed monthly
* reviewing the Customer Investment Strategy, taking into consideration economic and financial market forecasts and aiming to preserve the value of each customer’s assets. Customer views, wishes and preferences are taken into consideration in the investment of customer funds
* continuing the focus on providing **transparent and accessible financial information**, by publishing readily available material on the Public Trustee’s website, including:
	+ informing the community about how the Public Trustee invests customer administered funds[[4]](#footnote-4)
	+ interest rates payable to our customers on funds held by the Public Trustee[[5]](#footnote-5)
	+ updated fee-related information[[6]](#footnote-6)
* continuing our focus on enhancing **complaints management** by delivering tailored internal complaints management education seminars and initiatives to monitor the timeliness of complaint responses and assist in reporting and analysing complaints data

**Community Care and Engagement**

* continuing successful implementation of the investment strategy (established in 2021) for **charitable trusts** under the Public Trustee’s trusteeship, through the Australian Foundation for Charitable Trusts
* administering more than $170 million in funds for five philanthropic charitable trusts, which support vulnerable Queenslanders through a number of initiatives, including education, housing and aged care support
* continuing to enhance **community awareness** by promoting informed choices about advance life planning
* continuing to support the North Stradbroke Island community through further involvement with the Minjerribah Moorgumpin (Elders-in-Council) Aboriginal Corporation (MMEIC), to provide information and education on advance life planning and Will-making services, noting the historically low rates of First Nations people with a valid Will and Enduring Power of Attorney
* continuing to support and participate in **sector policy discussions**, including at a leadership level, of the Australian Guardianship and Administration Council, collaborating on legislative issues and advice and facilitating national discussion
* continuing our focus on enhancing customer and stakeholder **complaints management**, delivering tailored internal complaints management education seminars and initiatives to monitor the timeliness of complaint responses and assist in reporting and analysing complaints data

### Our priorities for 2023-24

**Our priorities in 2023-24** will include:

* continuing to advance customer experience initiatives under the Customers First Strategy, including initiatives and relationships with advocacy groups and support services empowering customers with their financial matters
* implementing an integrity and governance framework facilitating transparency and regular review of Public Trustee’s fees and charges to support sustainability while meeting the needs of customers
* collaborating and engaging with stakeholders to implement recommendations and advice from the Public Trustee Advisory and Monitoring Board (PTAMB)
* continuing the regulatory impact assessment of the recommendations from the fees and charges review report review, including undertaking public consultation on the suggested changes
* developing and implementing communication and stakeholder engagement strategies, initiatives and community education programs to raise awareness of advance life planning
* promoting positive and collaborative engagement between customer support networks and the Public Trustee
* building our services’ accessibility and responsiveness to the needs of our customers, by embedding a customer service culture across the Public Trustee through customer service training to all staff, providing information options for culturally and linguistically diverse customers, and investigating potential upgrades to physical office locations to improve accessibility including increased mobility access
* progressing ICT and digital strategies to support modern, secure and human-centred business systems and solutions. We have refreshed the channels used by our customers to engage with us, including the Public Trustee website, telephony system and enabling digital services. Further maturing of our cyber security, information and data management capabilities will continue to be a focus over the coming year.

Our strategic challenges and opportunities

In reviewing our Strategic Plan 2020-2024 (2023 Update: for 2023-24 financial year), we considered the major challenges facing Queensland now and into the future. We have identified a number of challenges and opportunities in achieving our vision and purpose:

* understanding our customers and designing services to meet their needs
* harnessing the strengths of our people and growing their capability
* collaborating with our partners and stakeholders including government and the community to leverage our joint capabilities
* optimising our innovation and resources to continuously strengthen our governance and integrity frameworks and practices
* growing resilience, responsiveness and sustainability in a complex and continuously changing social, economic, data-led and increasingly digital environment.

**Queensland Government objectives for the community**

The Public Trustee’s strategic objectives are aligned with the Queensland Government’s objectives for the community.

The Public Trustee supports the Government’s objective of **backing our frontline services** by:

* undertaking a key role in Queensland’s guardianship system
* advocating for the rights and financial interests of people with impaired decision-making capacity and protecting them from neglect, exploitation and abuse
* supporting Queenslanders to protect and manage their financial wellbeing at all stages of life
* delivering a customer experience that is tailored, relevant and accessible
* enhancing customer and community understanding of life planning.

The Public Trustee further contributes to the Government’s objectives for the community through:

* good jobs: supporting good, secure jobs in our traditional and emerging industries
* better services: delivering even better services right across Queensland
* great lifestyle: protecting and enhancing our Queensland lifestyle as we grow.

Community Service Obligations

The total cost of Community Service Obligations (CSOs) delivered for the 2022-23 financial year was $42.9M, representing an increase of $1.4M from the previous financial year which was $41.5M. An amount of $43.3M is budgeted for CSOs in 2023-24.

|  |  |  |
| --- | --- | --- |
| **Category of Community Service Obligations** | **2022–23****Actual****$M** | **2023–24****Budget****$M** |
| Fees rebated for clients with limited assets | 34.4 | 35.4 |
| Fees rebated for principal residence and other | 0.5 | 0.2 |
| Management of estates of prisoners | 0.4 | 0.4 |
| Public community education and advice to the courts and tribunals in the areas in which the Public Trustee has expertise | 1.4 | 1.4 |
| Providing a free Will-making service to Queenslanders | 4.5 | 4.1 |
| Contribution to the Office of the Public Guardian | 1.3 | 1.4 |
| Civil Law Legal Aid - outlays written-off and administrative support | 0.4 | 0.4 |
| **Total** | **42.9** | **43.3** |

Community Service Obligations are reported in our Financial Statements in two areas:

* + deduction from fee revenue of $37.0M for the 2022-23 financial year where there is rebate of all or part of a fee to customers (Note 1 of the Public Trustee Financial Statements)
	+ expenditure of $1.4M for the 2022-23 financial year as contributions towards other sector operations (Note 6 of the Public Trustee Financial Statements).

The provision of free Will-making services is not included in Revenue in our Financial Statements.

### Philanthropy

The Public Trustee is trustee of the **Australian Foundation for Charitable Trusts** (AFCT) established in 2021. Through the AFCT, a new investment strategy for Charitable Trusts has been implemented to improve investment income earnings and provide more funds for charitable works including supporting vulnerable Queenslanders.

The Public Trust Office Investment Board provides oversight of the investment management of the AFCT. The AFCT financial statements are at page 84.

The Public Trustee is trustee for five leading philanthropic charitable trusts in Queensland.

Queensland Community Foundation (QCF)

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QCF was established in 1997 to provide a permanent source of philanthropic funding for charitable organisations to enable them to respond to the needs of the Queensland community.

The QCF has net assets of $124.1M under management as at 30 June 2023. During the year, QCF paid $4.5M in distributions to a broad range of charities.

For further information, visit <https://qcf.org.au/>

**QCF Sub Fund: Gulf Area Community Social Development** Established under the umbrella of the QCF in 2000, this sub fund has net assets close to $6.6M. It supports the Gulf Area Community by providing grants to projects and initiatives that encourage cultural, educational, health and social development.

Queensland Aboriginal and Torres Strait Islander Foundation (QATSIF)

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The Queensland Aboriginal and Torres Strait Islander Foundation was established in 2008 and provides a secure, independent and perpetual funding source to advance the education of Aboriginal and Torres Strait Islander children and young people in Queensland through provision and promotion of scholarships.

Trust net assets were $45.6M as at 30 June 2023 with sponsorships paid totalling $2.3M in 2022-23.

Scholarships of more than $3.5M were approved for payment over the 2022 and 2023 calendar years for young Queensland Aboriginal students and Torres Strait Islander students. Scholarships have been awarded to more than 14,300 students from over 380 schools since the foundation was established in 2008.

For further information, visit [www.qatsif.org.au.](http://www.qatsif.org.au/)

Lady Bowen Trust

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Established in 2006, the Lady Bowen Trust aims to re-engage people experiencing chronic homelessness so they achieve genuine, positive and lasting outcomes. The trust supports Mission Australia which maintains Roma House, a facility to enhance clients’ life skills, confidence and resilience while assisting them to find secure accommodation.

Trust net assets were $5.1M as at 30 June 2023 with distributions paid totalling $0.2M in 2022-23.

For further information, visit [www.ladybowentrust.org.au.](http://www.ladybowentrust.org.au/)

The Forde Foundation

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The Forde Foundation was established in August 2000 in response to the findings of the *Commission of Inquiry into Abuse of Children in Queensland Institutions*, better known as the Forde Inquiry. The foundation is designed to support former residents of Queensland institutions. Financial support is provided to individuals for specific purposes such as dental care, education, training and personal development opportunities.

Foundation net assets were approximately $4.2M as at 30 June 2023 with distributions paid totalling $0.1M in 2022-23.

For further information, visit [www.fordefoundation.org.au.](http://www.fordefoundation.org.au/)

Gladstone Foundation

****

Established in early 2011, the Gladstone Foundation allows for industry funds to be channelled into this perpetual trust to provide social infrastructure and service needs in the Gladstone Region.

Specific purposes of the trust are relieving poverty, assisting the aged, relieving sickness or distress, advancing religion and education, providing childcare services on a non-profit basis and other purposes which benefit the Gladstone Region.

Initial capital received by the trust was $13.5M. Foundation net assets were $0.1M as at 30 June 2023, with distributions paid totalling $0.4M in 2022-23.

For further information, visit [www.gladstonefoundation.org.au.](http://www.gladstonefoundation.org.au/)

### Summary of our performance

The Public Trustee’s frontline services for our clients and the community provide:

* + financial management, acting as administrator for financial matters for clients with impaired capacity for decision-making pursuant to the *Guardianship and Administration Act 2000* or as a financial attorney pursuant to the *Powers of Attorney Act 1998*
	+ deceased estate administration, pursuant to Wills or on intestacy, delivering services to beneficiaries
	+ a Will making service, preparing Wills free of charge for all Queenslanders.

The Public Trustee conducts a customer satisfaction survey specifically with:

* beneficiaries of deceased estates being administered by the Public Trustee as executor, under a grant of administration, or under the Public Trustee’s statutory powers
* customers (and their support networks) who have the Public Trustee appointed as financial administrator
* customers of its Will-making service.

**Performance indicators, *Service Delivery Statement 2022-23***

| Service standards | 2022-23Target/Est. | 2022-23Actual | 2023-24Target/Est. |
| --- | --- | --- | --- |
| Effectiveness measures |
| Overall customer satisfaction with the deceased estate administration service as measured by the overall experience score1 | 70% | 60% | 70% |
| Overall customer satisfaction with the financial management service as measured by the overall experience score | 70% | 73% | 70% |
| Overall customer satisfaction with Will preparation services | 90% | 91% | 90% |
| Efficiency measure |
| Cost per Will2 | $200 | $290 | $255 |

1The variance between the 2022–23 Target/Estimate and 2022–23 Actual is below service expectations. However, the Public Trustee provides a valuable service and is evolving as an organisation, ensuring the voice of the customer is central to everything we do, to build trust and be transparent with the community we serve. The Public Trustee’s Customers First Agenda planned reforms initially focused on financial administration and are planned to focus on deceased estate and other key services in upcoming phases

2This service standard is calculated using the total cost of making free Wills divided by the number of Wills drafted and completed in the financial year. The variance between the 2022–23 Target/Estimate and the 2022–23 Actual is due to fewer Wills completed in 2022–23, and as the use of the service changed in response to the COVID-19 pandemic. During the COVID-19 pandemic, the Public Trustee began offering Will-making appointments by telephone and suspended or limited face-to-face appointments. With the easing of COVID-19 measures, the Public Trustee continues to offer telephone appointments and has re-introduced face-to-face appointments and is assisting its Will-making customers with executing their Wills that the Public Trustee has drafted for them.

# Management and structure

The Public Trustee’s functional structure ensures we have in place appropriate leadership and oversight to ensure progress on strategic and operational priorities. 

### Governance and committees

The Public Trustee has established a range of management committees to support its areas of operation. The committees have varying roles and functions and are established for specific purposes, either because of a legislative imperative or in response to the needs of the organisation.

Our organisational leaders’ membership across these governance committees demonstrates our commitment to delivering services for Queenslanders in a transparent and accountable way. Our committees are integral components of the Public Trustee’s governance arrangements and ensure appropriate decision-making and accountability.

**Board of Management**

The Board of Management (BOM) is the senior leadership, planning and governance group of the agency. BOM is supported by the Executive Leadership Team (ELT), which provides insights and advice to support the organisation. BOM comprises:

* **Samay Zhouand**, Public Trustee of Queensland and CEO (Chair)
* **Albert Oberholzer**, Executive Director Investment & Finance & CFO
* **Megan Bayntun**, Executive Director, Strategy & Governance
* **Tracy Spence**, Executive Director, Corporate Services
* **Elaine Galvin**, Executive Director, Customer Services
* **Amy Pearson**, Executive Director, People & Culture
* **Amanda Dulvarie**, Executive Director, Fees & Charges

**Public Trust Office Investment Board**

The Public Trust Office Investment Board (the Board) is established under section 21(1) of the *Public Trustee Act 1978*. The functions of the Board are to control and manage the investments of the Public Trustee Common Fund, and to provide advice to the Public Trustee on the investment management of the Public Trustee of Queensland Investment Trusts (the Public Trustee of Queensland Growth Trust and the Australian Foundation for Charitable Trusts).

Significant achievements of the Board in 2022–23 included:

* closely monitored the investment performance of the Public Trustee Common Fund during a period of sharply rising short term interest rates caused by central banks, both domestically and internationally, responding to inflationary pressures
* assisted the Public Trustee with managing the redemption of proceeds from the QIC Limited (QIC) Global Credit Income Fund following QIC’s decision to close the Fund, and for the proceeds of the redemption to be reinvested in the Queensland Treasury Corporation Capital Guaranteed Cash Fund
* in consultation with independent investment advisers, approved a revised investment strategy for the Public Trustee Common Fund. The revised investment strategy was informed by the changing economic and financial environment and allows for the investment objectives to be met with a lower level of risk
* reviewed the Public Trustee Common Fund’s Investment Policy Guidelines
* continued to monitor and provide the necessary approvals for the implementation of recommendations relating to the strategic asset management plan for buildings owned by the Public Trustee
* noted interest rates payable to customers on moneys held in the Public Trustee Common Fund
* monitored the investment management of the Public Trustee of Queensland Growth Trust and the investment arrangements of the Australian Foundation for Charitable Trusts.

|  |
| --- |
| **Remuneration**  |
| Position | Name | Meetings/sessions attendance | Approved annual, sessional or daily fee  | Approved sub-committee fees if applicable | Actual fees received  |
| Chair | Samay Zhouand | 7 | N/A  | N/A | N/A |
| Member  | Henry Smerdon | 6 | $400 daily fee | N/A | $2,400(Remuneration for meeting on 7 December 2022 was not processed during 2022-23) |
| Member | Sandra Birkensleigh | 7 | $400 daily fee | N/A | $2,800(Remuneration for meeting on 7 December 2022 was not processed during 2022-23) |
| Member | Glenn Miller | 7 | N/A | N/A | N/A |
| No. scheduled meetings/sessions | Total number of schedule meetings for 2022-23 was four with three additional sessions or workshops held throughout the year. |
| Total out of pocket expenses | N/A |

**Audit and Risk Management Committee**

The Audit and Risk Management Committee is an independent advisory body established to assist the Public Trustee of Queensland in fulfilling the Accountable Officer’s responsibilities under the *Financial Accountability Act 2009*, Financial and Performance Management Standard 2019and other relevant legislation.

The committee operates under terms of reference established in accordance with the *Audit Committee Guidelines – Improving Accountability and Performance*,published by Queensland Treasury.

In 2022-23, the committee:

* + reviewed the Public Trustee financial statement preparation processes and oversight
	+ reviewed the risk management framework, including Public Trustee’s Risk Appetite Statement
	+ reviewed the fraud and corruption control framework
	+ endorsed the Internal Audit Plan for 2022-23
	+ reviewed actions from internal and external audit processes.

|  |
| --- |
| **Remuneration**  |
| Position | Name | Meetings/sessions attendance | Approved annual, sessional or daily fee[[7]](#footnote-7) | Approved sub-committee fees if applicable | Actual fees received  |
| Chair | Sandra Birkensleigh | 2 | Annual fee $18,700 (excl GST) | N/A | $9,350 (excl GST) (as Chair up to 1 March 2023) |
| Member  | Janine Walker AM | 2 | Annual fee $12,500 (excl GST) until June 2023Annual fee $4,500 (excl GST) from 2 June 2023 | N/A | $4,250 (excl GST) (attended 1 meeting in August 2022 and 1 meeting in June 2023) |
| Member | Felicity Cooper | 2 | Annual fee $12,500 (excl GST) | N/A | $6,250 (excl GST) (as Member up to 2 March 2023) |
| Chair | Peter Sheville | 1 | Annual fee $6,000 (excl GST) | N/A | $1,500 (excl GST) (as Chair from 27 April 2023) |
| Member | Megan Osborne | 1 | Annual fee $4,500 (excl GST) | N/A | $1,125 (excl GST) (as Member from 22 March 2023) |
| Member | Megan Bayntun | 2 | N/A | N/A | N/A |
| No. scheduled meetings/sessions | Only three meetings of the ARMC were held during 2022-23 due to the recruitment of a new member and Chair following the previous Chair’s appointment expiring and the resignation of a member.  |
| Total out of pocket expenses | N/A |

**Information and Communication Technology (ICT) and Digital Steering Committee**

The ICT and Digital Steering Committee was established in its current form in 2020 following recommendations by the Queensland Audit Office (QAO). The role of the committee is to provide strategic leadership for ICT, information security and digital functions of the organisation, aligning with enterprise strategic objectives and processes.

The core functions of the committee are to:

* + review and approve ICT and digital strategic and operational plans
	+ develop and monitor ICT and digital policies and practices
	+ ensure effective and equitable use of current and future ICT and digital resources
	+ appropriately manage ICT and digital risk.

Membership of the committee is determined by the Board of Management. The members as at 30 June 2023 were:

* + Executive Director Investment & Finance & CFO (Chair)
	+ Executive Director, Corporate Services
	+ Executive Director, Strategy & Governance
	+ Executive Director, Customer Services
	+ Executive Director, Fees and Charges
	+ A representative from the People & Culture team
	+ Director Regional Services Central
	+ Director Strategy and Transformation, Information Technology Services, Department of Justice and Attorney General (External voting member).

Standing Observers on the committee are the Director Strategy & Planning and the Chief Information Officer.

**Customers First and Strategic Initiatives Implementation Committee**

This committee was established in 2022 to provide leadership for implementation of actions in the Customers First Strategy and other priority initiatives. The core functions of the committee are to monitor implementation and planning of key projects, track and report on progress, and strengthen oversight and accountability related to project delivery.

Membership of the committee as at 30 June 2023 comprised:

* + Executive Director Investment & Finance & CFO (Chair)
	+ Director, Customer Experience (Deputy Chair)
	+ Director, Strategy and Planning
	+ Director, Investment Advisory and Taxation Services
	+ Director, Strategic Initiatives
	+ Director, People and Culture
	+ Director, Governance and Risk
	+ Director, Independent Services and the Customer Advocate
	+ Director, Regional Services SEQ (East)
	+ Director, Regional Services North
	+ Chief Information Officer.

The Executive Director, Strategy and Governance and the Principal Project Accountant are standing Observers. Board of Management members and initiative leads are standing invitees.

### Public Trustee Advisory and Monitoring Board

The Public Trustee Advisory and Monitoring Board (PTAMB) is an independent board to oversee and review the operations of the Public Trustee of Queensland and was established under the *Public Trustee (Advisory and Monitoring) Amendment Act 2022.*

The PTAMB will monitor the performance of the Public Trustee’s functions and provide advice and make recommendations about how the performance of these functions can be improved.

The PTAMB membership includes six non-government members and three government members.

# Human Rights Act 2019

The Public Trustee has been embedding human rights understanding across our organisation before and since the commencement of the *Human Rights Act 2019* (Human Rights Act) on 1 January 2020.

We are committed to:

* building a culture that respects and promotes human rights
* protecting and promoting human rights
* promoting a dialogue about the nature, meaning and scope of human rights
* placing the human rights of individuals, especially the most vulnerable, at the forefront of our service delivery.

To further the objectives of the Human Rights Act:

* human rights have been embedded into our **Strategic Plan 2020–2024**, proclaiming the Public Trustee’s commitment to respecting, protecting, and promoting human rights in our decision-making and actions
* all new staff are enrolled in the mandatory self-paced online course on the Human Rights Act
* new and existing staff can access a range of resources and guides on taking action or making a decision that is compatible with human rights. This includes case studies illustrating actions and decision-making compatible with human rights and which put the customer at the forefront of service delivery
* all programs are required to consider human rights and the Human Rights Act when developing, implementing and reviewing their policy documents.

The Public Trustee is proud to deliver services that support diversity, equity, inclusion and accessibility for our customers through culturally appropriate and informed practices.

The Public Trustee has implemented a number of key initiatives to support the provision of diverse, inclusive, and accessible services, including:

* mandatory diversity training for all staff, including online diversity awareness training with modules relating to First Nations peoples, increasing awareness of LGBTQI+ communities, culturally and linguistically diverse communities and people with disabilities
* improved onboarding with greater focus on transparency with our customers and their support networks about the services and support the Public Trustee will provide. Additionally, there is a greater focus for customer choice in identifying their support network to assist with support and decision-making
* improved offboarding when a customer no longer has the Public Trustee appointed. This process has placed greater emphasis on supporting the customer to understand their financial position, the Public Trustee’s role in transitioning management of their funds to them, and how to engage in financial literacy support if they need this assistance in the future
* development of information sharing guidelines to assist our staff with clear and consistent decision making. These guidelines allow for structured information sharing with customer support networks, as well as assisting a customer to make an informed decision about what information they would like to share with the people in their lives
* implementation of customer support network webinars delivered each quarter. These webinars promote accessibility, allowing our customers’ support networks (family and friends) to attend an information session and ask any questions they may have about the Public Trustee’s appointment as financial administrator
* implementation of a nation-leading **Structured Decision-Making Framework** to assist staff to act in accordance with our obligations under the *Guardianship and Administration Act 2000* and *Human Rights Act 2019*, ensuring consideration of our customer's views, wishes and preferences throughout the decision-making process
* provision of an interpreter service for people with hearing impairment or from culturally and linguistically diverse backgrounds who may have difficulties communicating in English
* development and publication of a package of easy-to-read information, tools, calculators, guides, and ready-reckoners to help customers in their interactions with the Public Trustee
* a National Redress Scheme Unit to help customers make claims through the Commonwealth Government National Redress Scheme which relates to institutional sexual abuse of children
* Public Trustee’s manuals and procedures recognising the importance of First Nations peoples’ cultural rights through guidance around application of the General Principles under the *Guardianship and Administration Act 2000*.

In addition to the above, the Public Trustee is currently working towards additional initiatives to support accessibility and diversity, including:

* improving the Public Trustee website to offer accessibility that meets diverse needs
* translation of Public Trustee publications into languages other than English to support the needs of customers from culturally and linguistically diverse backgrounds
* improving staff capability in culturally safe communication and care relevant to First Nations customers.

### Human Rights Complaints

The Public Trustee’s Complaints Management Framework ensures that:

* human rights complaints are identified at the point of receipt
* the complaints process is compatible with human rights, the principles of natural justice and incorporates the complaints resolution process available under the Human Rights Act.

The Public Trustee advises its customers of the availability of making a human rights complaint and the complaints process through:

* our website[[8]](#footnote-8)
* our Complaints Management Policy[[9]](#footnote-9)
* our leaflet ‘Your Complaints Journey’[[10]](#footnote-10).

During 2022-23, the Public Trustee received 24 customer complaints that were assessed as human rights complaints:

* 23 complaints were identified by the complainant as human rights related
* one was assessed by the Public Trustee as being human rights related.

Most of the complaints were resolved by the Public Trustee providing an explanation to the customer or the customer’s support network about the decision that was made or the action that was taken.

The Public Trustee found that in nine cases, it had not acted compatibly with human rights and in line with its obligations under the Human Rights Act. In these cases, the Public Trustee took steps to:

* investigate the cause
* take corrective action including:
	+ offering an apology
	+ changing its decision
	+ reviewing its policies and procedures
	+ undertaking further training with staff.

In one instance, the complaint was withdrawn.

The Queensland Human Rights Commission has not contacted the Public Trustee in relation to any unresolved complaint that it accepted for review in 2022-23.

# Risk management and accountability

### Risk management

The Public Trustee is committed to promoting a risk management culture and to organisational risk management principles that enable informed decisions, reduce exposure to potential loss, add value to our business operations, and contribute to the organisation’s performance.

Risk management at the Public Trustee is governed by our Risk Management Framework, a core component of our overall corporate governance and accountability framework. The framework encompasses policies, procedures, systems and strategies to effectively manage our risks through regular communication and consultation. In 2022-23, a review of the Risk Management Framework was undertaken to confirm it remains aligned with best practice and is appropriate for our specific business and organisational environment.

Board of Management is responsible for ensuring effective risk management practices are in place across the Public Trustee and is supported by Internal Audit and the Audit and Risk Management Committee. Risks are identified and monitored on an ongoing basis to ensure they adequately reflect the current operating environment and risk management is integrated into operational activities at all levels.

Significant risks at organisation and program area levels are regularly reviewed and reported to Board of Management and discussed with the Audit and Risk Management Committee.

In 2022–23, the Public Trustee continued to build a strong risk management culture, through:

* review of the Risk Management Framework to confirm its ongoing alignment with AS/NZS *ISO 31000:2018 Risk Management – Guidelines*
* workshops with leadership teams to redefine the organisation’s risk appetite and review Material Business and Strategic risks in the context of the updated Strategic Plan
* discussions with outcome owners across the Public Trustee, providing advice and guidance on risk ownership, escalation, treatment, review, and reporting
* communication and consultation with leadership teams to enhance the linkage of risks to organisational strategic objectives.

### Internal audit

Internal Audit provides independent and objective assurance to improve the operational performance of the Public Trustee. The unit’s role is defined in its Charter, approved by the Public Trustee of Queensland and endorsed by the Audit and Risk Management Committee. The charter has regard to the Financial and Performance Management Standard 2019 and the Institute of Internal Auditors’ *International Standards for the Professional Practice of Internal Auditing.*

The Annual Internal Audit Plan is developed in consultation with key stakeholders and takes into account the significant risks identified by management through the Public Trustee’s Risk Management Framework. Strong links with the Queensland Audit Office provide the foundation for a collaborative audit approach to ensure optimal audit coverage across all areas of the organisation, including financial and compliance audits, operational and efficiency audits, information system audits, and investigations.

Internal Audit sits within Independent Services, providing combined assurance and oversight of the Public Trustee’s operations.

Over the year, Internal Audit conducted independent reviews and audits of our internal controls, business processes and management practices. Key achievements included:

* + developed an internal audit plan based on strategic risks and operational risk registers, in consultation with the Executive Leadership Team and other key staff
	+ successfully executed the internal audit plan, providing reports to the Audit and Risk Management Committee and the Public Trustee of Queensland
	+ monitored and reported on the status of implementation of internal audit recommendations to the Audit and Risk Management Committee
	+ supported management by providing advice on corporate governance and related issues including fraud and corruption prevention programs and risk management.

### Information management

The Public Trustee maintains a comprehensive records management framework that is compliant with the *Public Records Act 2002,* the *Public Sector Act 2022,* and the Queensland Government’s *Records governance policy* (2019). We use both paper-based records and electronic document and records management systems to effectively manage and secure business records across the state. This includes the scheduling and timely disposal of administrative records in line with the Queensland Government's *General Records and Disposal Schedule* (GRDS) and State Archives approved *Public Trust Office Retention and Disposal Schedule* (QDAN 651 v.1) for core business records.

We continue to identify and implement improved quality, efficiency and agility in information and records management and in reducing the reliance on paper records through automation and digitisation.

In 2022-23, we demonstrated our commitment to compliant recordkeeping practices by:

* finalising the relocation of the majority of active customer and corporate records from the Brisbane office to secure records storage as part of the office relocation, transitioning the Brisbane office to a paper-lite environment
* continued production and maintenance of extensive electronic user guides for all staff on record management and use of the corporate record management system
* continuing to deliver personalised recordkeeping training on an ad-hoc basis and providing a mandatory online training course for all employees and contractors
* reviewing and updating the configuration of the corporate record management and information systems to ensure compliance, reliability, performance, and security of electronic records.

### Information security

The Public Trustee uses information systems and digital enabling technologies to deliver critical services to the people of Queensland. To ensure information, application, data, and technology resources are protected, the Public Trustee is committed to complying with the Queensland Government’s *Information security policy* (IS18:2018).

In accordance with IS18:2018, the Public Trustee developed and operates an *Information Security Management System* (ISMS) that forms the basis of the governance, policies, procedures, and controls required to ensure information related business risk is effectively understood and managed. Effectiveness of the Public Trustee’s ISMS is overseen by the ICT and Digital Steering Committee.

The focus this year has been ongoing cyber security education and awareness campaigns for all staff, actively reporting, monitoring and managing information security and cyber risks, and strengthening baseline maturity to protect against increasingly sophisticated cyber threats.

During the mandatory annual Information Security reporting process, the Public Trustee of Queensland attested to the appropriateness of the information security risk management within the agency to the Queensland Government Chief Information Security Officer, noting that appropriate assurance activities have been undertaken to inform this opinion and the agency’s information security risk position.

### External scrutiny

The Public Trustee is subject to external scrutiny by external entities including:

* + Crime and Corruption Commission
	+ Queensland Audit Office
	+ Queensland Ombudsman
	+ Office of the Public Advocate
	+ Office of the Information Commissioner
	+ Queensland Parliament’s Legal Affairs and Safety Committee.

### Governance – Human resources

### Our people: workforce planning and performance

Our employees are employed under the *Public Sector Act 2022* and related industrial instruments aligning with Queensland Public Sector Commission and Office of Industrial Relations policies and directives.

The Public Trustee promotes inclusivity and diversity in the workplace and are proud to have 66% of our leadership roles held by women.

Our budgeted establishment for 2022-23 was 606 full-time equivalents (FTE). For the quarter ending 30 June 2023 we had 631 employees working at an FTE of 590.77[[11]](#footnote-11) Our workforce profile for target groups is provided in Figure 2.

**Figure 1: Workforce profile data**

|  |  |
| --- | --- |
| Total FTE for Public Trustee | 590.77 |
| Total Headcount for Public Trustee | 631 |
| *Occupation types, as a percentage of FTE* |  % |
| Frontline and frontline support | 85.98 |
| Corporate | 14.02 |
| *Appointment type, as a percentage of FTE* |  % |
| Permanent | 77.77 |
| Temporary | 20.65 |
| Casual  | 0.40 |
| Contract | 1.18 |
| *Employment status, as a percentage of headcount* |  % |
| Full-time | 85.42 |
| Part-time | 13.95 |
| Casual | 0.63 |

**Figure 2: Workforce profile data**\*

|  |  |  |
| --- | --- | --- |
| **Gender** | **Number**(Headcount) | **Percentage of total workforce**(Calculated on headcount) |
| Woman |  475 |  75.28 |
| Man |  155 |  24.56 |
| Non-binary | <5 | - |
| **Diversity groups** | **Number**(Headcount) | **Percentage of total workforce** (Calculated on headcount) |
| Women | 475 |  75.28 |
| Aboriginal Peoples and Torres Strait Islander Peoples |  8 | 1.27 |
| People with disability | 32 | 5.07 |
| Culturally and Linguistically Diverse – Speak a language at home other than English (including Aboriginal and Torres Strait Islander languages or Australian South Sea Islander languages) | 20 | 3.17 |
| **Women in Leadership Roles** | **Number****(**Headcount**)** | **Percentage of total Leadership Cohort**(Calculated on headcount) |
| Senior Officers (Classified and s122/155 equivalent combined)  |  13 | 65.00 |
| Senior Executive Service and Chief Executives (Classified and s122/155 equivalent combined)  |  5 | 71.43 |

\*To ensure privacy, where there are less than 5 respondents in a category, specific numbers have been replaced by ‘<5’.

No redundancy/early retirement/retrenchment packages were paid during the period.

In addition to the key achievements outlined on pages 5 – 8, our commitment to our people was further demonstrated in 2022-23 by:

* funding Queensland Law Society membership fees and Practising Certificates for legal officers
* supporting flexible approaches to working, including by completing the state-wide laptop rollout for all staff
* recognising staff contributions through a reward and recognition program, including formal reward and recognition events
* empowering our staff by providing information about agency priorities and their improvement ideas through our forums, such as Town Halls, weekly all-staff communications, and regular meetings of the state-wide leadership team.

Our 2022 ***Working for Queensland*** survey results for employee engagement improved against our 2021 result.

The Public Trustee considers the health, safety, and wellbeing of our people to be a key priority. This is reflected in our **Strategic Plan 2020-2024** and **Social Responsibility Charter**.

During 2022-23 we demonstrated our commitment to the safety and wellbeing of our staff by:

* maintaining the number of internal positions dedicated to monitoring and enhancing our health and safety culture
* ensuring staff and their family members have access to funded support via our Employee Assistance Provider
* engaging external expertise to respond to critical incidents
* ensuring timely review of risk control treatments, responses and communications about managing risks related to COVID-19 in our workplace
* encouraging work-life balance and flexible ways of working. Nearly 14% of our staff work part-time
* providing agency-funded flu vaccinations, ergonomic assessments and equipment
* maintaining specialised protective services at various locations, including Brisbane
* providing training to leaders to recognise and respond to psychosocial hazards in the workplace
* ongoing review of our safety management system.

We continue to actively identify and progress business improvement and attraction initiatives to position the Public Trustee and its employees for the future of work. In 2022-23, the Public Trustee attracted 3,184 applicants as part of its continuous applicant pool recruitment program for our Public Trust Officer roles in 16 locations across the State.

The Public Trustee ensures that all employees have knowledge of and understanding of the **positive performance management framework**. Positive performance management helps employees to identify their development needs and assist them in achieving their performance goals. It establishes role expectation, provides goal clarity, gives purpose and meaning, and aligns employees to organisational requirements. Employee’s performance and development agreements are implemented and reviewed every six months aligned to outcomes from the business area’s operational plans.

The Public Trustee’s **Employee Recognition Program** encompasses:

* quarterly Staff Recognition events that highlight the contributions of staff who have received a customer compliment or acknowledgement from a colleague during the period
* a formal Employee Awards event that recognises the exceptional work of individuals, initiatives and teams across the agency. Held in December 2022, the Awards foster inclusion by seeking staff nominations of individuals and teams, and then staff voting for Award recipients. The Awards focused on the Public Sector Values, our key cultural attributes and actions undertaken by our employees who provide exceptional support and service to our customers.

Through these recognition events, we continue to build a culture that values and appreciates the hard work and dedication of our staff and the positive difference they make to the Queensland community.

We encourage our employees to develop their skills and portable capabilities, while we promote an agile, flexible and safe workplace. This includes our continued commitment to external secondments and cross-sector mobility. We continue our cultural transformation through our Customers First Agenda.

Over the last 12 months, learning and development in the Public Trustee has focused on programs to enhance the customer service and technical capability of our staff, including:

* the introduction of technical webinars, delivering learning sessions to frontline employees across the state on specific technical topics and areas of complexity
* ongoing delivery and support for Technical 1 and Technical 2 programs providing intensive capability uplift for frontline staff in financial management and deceased estates matters
* half day workshops for new and existing frontline employees to embed our seven-step Structured Decision-Making Framework to support the principles of the *Guardianship and Administration Act 2000* and the *Human Rights Act 2019*
* mandatory eLearning Human Rights modules incorporated into local inductions
* induction and refresher training on a number of important topics, including workplace health and safety, code of conduct, and information privacy
* diversity awareness eLearning training from the Queensland Human Rights Commission. This training raises awareness regarding the value and promotion of diversity in the workplace with practical strategies for inclusion.

The Public Trustee’s industrial and employee relations framework incorporates an active approach to consultation with employees and unions. Regular Agency Consultative Committee meetings were conducted throughout the year.

We will continue to build on this work in 2023-24 through actions such as manager essentials training, enhanced wellbeing programs, and workload management initiatives.

### Public Sector Ethics Act 1994

The Public Trustee maintains high ethical standards that support and underpin our fiduciary responsibilities. Our employees are bound by the Code of Conduct for the Queensland Public Service.

Our Strategic Plan 2020-2024 emphasises the delivery of socially responsible services that meet the needs of Queenslanders and we empower our employees to act in an ethical manner. The Queensland Public Service values underpin our workplace culture and are based on the *Public Sector Ethics Act 1994* and the Code of Conduct for the Queensland Public Service. We continued to embed and implement the Public Service values into our organisation.

The Public Trustee’s dedicated Ethics and Integrity function has led the development and implementation of proactive education, communication and other key initiatives to support and embed positive conduct, identification and reporting of ethics and integrity matters.

Through various strategies and building on the strong moral and ethical principles and values of the Public Trustee’s organisational culture, the function is focused on further integrating these principles and values into decision making, leadership and behaviours.

**In 2022–23, these strategies included:**

* + collaboration with other government agencies to ensure the Public Trustee’s integrity activities meet best practice initiatives and standards across the wider public service
	+ development and embedding of robust assessment processes to ensure timely and comprehensive assessment and actioning of ethics and integrity matters
	+ updates to integrity policies such as the Gifts and Benefits Policy and Other Employment Policy
	+ increased communication to management and staff (all levels) on ethics and integrity topics through periodic all staff emails and resources published on the ethics and integrity intranet webpage
	+ delivery of integrity sessions at staff and management meetings
	+ providing recommendations to business units on systemic practice improvements.

Sitting within our Independent Services functions, this combined assurance model continues to focus on proactive and preventative initiatives to identify and address systemic issues and drive continuous improvement within the Public Trustee.

# Financial performance

The Public Trustee’s achieved an operating surplus of $2.0M for 2022-23. The financial performance for the year ended 30 June 2023 is summarised below.

|  |  |  |  |
| --- | --- | --- | --- |
| **Financial year** | **Revenue****$M** | **Expenses****$M** | **Operating Result****$M** |
| 2021-22 | 84.5 | (131.4) | (46.9) |
| **2022-23** | **96.4** | **(94.4)** | **2.0** |

The audited financial statements are presented on page 37 of this annual report.

**Revenue**

|  |  |  |
| --- | --- | --- |
| **Total revenue** | **2022-23****$M** | **2021-22****$M** |
| Gross Fees | 91.2 | 92.8 |
| Less Community Service Obligations | (37.0) | (36.9) |
| **Net Fees** | **54.2** | **55.9** |
| Investment Revenue (including QIC distributions) | 25.0 | 23.5 |
| Fair Value Gain on Investments | 14.5 | 0.8 |
| Other Income | 2.7 | 4.3 |
| **Total Revenue** | **96.4** | **84.5** |

Total revenue increased by 14.1% from the prior year due to improved investment returns.

Net fees reduced slightly compared to the previous year as a result of lower customer activity levels in some service areas and no escalation in fees and charges. Furthermore, from 1 November 2022, Queensland Government approved the ceasing of additional real estate property fees and incidental outlays fees for financial management customers.

The financial position was impacted by central banks globally raising interest rates to fight inflation. This had a positive impact to the performance of investments linked to the cash rate, however higher interest rates on longer term fixed interest securities had a negative impact on financial performance. The strong performance of equities, both domestically and internationally provided for strong returns from the Common Fund’s diversified investment strategy through QIC.

During the year, $125.7M was redeemed from QIC following the Public Trustee receiving notice on the impending closure of the QIC Global Credit Income Fund. The proceeds were reinvested in the QTC Capital Guaranteed Cash Fund pending a review of the investment strategy in the prevailing economic and financial environment.

The Public Trustee subsequently implemented a revision to the Common Fund investment strategy with a revised asset allocation to achieve the investment objectives with a lower level of risk. Consequently, $50M was redeemed from the QIC Long Term Diversified Fund and the proceeds were reinvested in the QTC Capital Guaranteed Cash Fund.

At 30 June 2023, the Common Fund investment management benchmark allocations were 40% cash, 33% in QIC managed funds, and 27% in internally managed term deposits and fixed interest securities.

QIC fund returns for the 2022-23 financial year are as follows:

|  |  |  |
| --- | --- | --- |
| **QIC Fund name** | **At 30 June 2023** | **Annual return 2022-23** |
|  | **Investment****$M** | **Return****%** | **Fair value adjustments****$M** | **Distribution income****$M** |
| QIC Long Term Diversified Fund | 124.2 | 9.48 | 12.6 | 2.0 |
| QIC Short Term Income Fund | 176.4 | 3.88 | 1.3 | 5.5 |
| **Total QIC portfolio**  | **300.6** | **6.19** | **13.9** | **7.5** |

Refer to Notes 2, 11 and 23 of the Public Trustee Financial Statements for further details of these investments and related revenue.

**Expenses**

|  |  |  |
| --- | --- | --- |
| **Total expenses** | **2022-23****$M** | **2021-22****$M** |
| Employee Expenses | 62.6 | 59.0 |
| Supplies and Services | 14.8 | 19.5 |
| Fair Value Loss on Investments | - | 42.6 |
| Interest Expense | 8.1 | 2.3 |
| Other  | 8.9 | 8.0 |
| **Total Expenses** | **94.4** | **131.4** |

Year-on-year, the increase of $3.6M in employee expenses is due to enterprise bargaining salary rate increases and vacancies in the prior year.

Supplies and services are $4.7M lower primarily due to 2021-22 including costs associated with the relocation of the Public Trustee’s Brisbane office to leased premises.

Fair value loss on investments amounting to $42.6M was recorded in the prior year due to a number of global events adversely affecting financial markets.

The higher interest rate environment has resulted in an increase in interest expense.

**Statement of Changes in Equity**

During 2022-23 indexation was applied in respect of land and buildings resulting in a $1.5M increase in the asset revaluation surplus.

The market value of the Public Trustee’s other financial assets (at Fair Value through Other Comprehensive Income) comprising semi-government bonds, corporate bonds and corporate notes recorded unrealised gains of $0.3M. In the prior year, unrealised losses of $26.9M were recognised due to extreme bond devaluations.

Statement of Financial Position

|  |  |  |
| --- | --- | --- |
| **Net assets**  | **2022-23****$M** | **2021-22****$M** |
| Total Assets | 981.1 | 1,022.2 |
| Total Liabilities | (840.2) | (884.6) |
| **Net Assets** | **140.9** | **137.6** |

The Public Trustee’s assets largely consist of cash, other financial assets, property, plant and equipment, and right-of-use assets (for leased properties). Liabilities include deposits held in trust, lease liabilities and accrued employee benefits.

Total assets decreased by $41.1M from 30 June 2022, mainly due to a reduction in investment portfolio compared to the prior year as a result of lower deposits held in trust (liabilities).

Total Common Fund reserves of $140.9M increased slightly compared to the prior year due to the operating surplus and increase in the asset revaluation surplus.

Prospective Outlook

The Public Trustee is anticipating a significant budgetary deficit for the 2023-24 financial year predominantly due to:

* no escalation to fees and charges and higher Community Service Obligations
* an increase in strategic initiatives to modernise the Public Trustee’s ICT
* higher interest payable to customers due to the high interest rate environment
* higher employee expenses due to employee wage increases and an increase in FTEs required to support the delivery of strategic initiatives and front-line services.

The Public Trustee is undertaking the following key measures to ensure its financial sustainability for the future:

* advancing outcomes from the fees and charges independent review, positioning the Public Trustee for long-term sustainability
* modernising ICT to increase efficiency
* moving from a building ownership strategy to an office leasing strategy. Leasing reduces the costs associated with ageing infrastructure
* continuing to review the Public Trustee’s Investment Strategy to ensure appropriate returns to assist the organisation in its operations.

**Chief Finance Officer Statement**

The Executive Director Investments & Finance Services & CFO is the appointed Chief Finance Officer (CFO) for the Public Trustee. In accordance with section 77(2)(b) of the *Financial Accountability Act 2009*, the CFO has provided the Public Trustee of Queensland with a statement conforming with section 54 of the *Financial and Performance Management Standard 2019* attesting that the Public Trustee’s financial internal controls are operating efficiently, effectively and economically. The Public Trustee’s CFO has fulfilled minimum responsibilities of the role as defined in section 77(1) of the *Financial Accountability Act 2009*. The statement was noted by the Audit and Risk Management Committee.

**The Public Trustee of Queensland Investment Trusts**

The Public Trustee of Queensland Investment Trusts were established to provide our customers with the opportunity to have their funds managed by the Public Trustee with the expert assistance of a professional investment manager.

The Public Trustee is the manager and trustee of the Public Trustee of Queensland Investment Trusts and is responsible for determining the investment objectives and strategy, arranging for the proper investment of all monies, and ensuring the appointed investment manager achieves acceptable rates of return. The Public Trustee has appointed QIC as the investment manager of the Public Trustee of Queensland Investment Trusts.

**The Public Trustee of Queensland Growth Trust (Growth Trust)**

The investment aim and objective of the Growth Trust is to provide a fully diversified investment strategy for those seeking long-term income and capital growth. The investment objective of the Growth Trust is to generate average returns (net of fees and costs) of CPI + 2.4% per annum over rolling five-year periods. The investment objective has been reviewed to ensure appropriateness for the Growth Trust’s customers and will be implemented during the 2023-24 financial year following the finalisation of disclosure documentation.

The Growth Trust currently gains exposure to various assets classes and investment sectors by investing in the QIC Long Term Diversified Fund, while liquidity for the Growth Trust is managed by an investment of approximately 1% in the QIC Cash Enhanced Fund or holding funds in cash at bank.

The asset allocation strategy of the Growth Trust is managed within the QIC Long Term Diversified Fund, a diversified portfolio of assets including Australian and international shares, fixed interest, property, infrastructure, private equity, alternative assets, and cash.

The investment objective of the Growth Trust and performance for the five-year period ending 30 June 2023 is as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Fund** | **CPI Objective (after fees)** | **Objective Target Return (%)** | **Annualised Return (%)** |
| Growth Trust | CPI + 2.4% over rolling 5 years | 5.82% | 3.46% |

Further information on the Growth Trust is available in its Product Information Statement and additional information is available on our website[[12]](#footnote-12).

**The Australian Foundation for Charitable Trusts (AFCT)**

The AFCT has been established to provide an investment solution for perpetual charitable trusts with a long-term investment horizon and the need to maximise income. The investment strategy is expected to improve investment income earnings and provide more funds for charitable works including supporting vulnerable Queenslanders.

The investment objective of the AFCT is to provide capital growth to maintain the real value of capital invested and to provide for distribution of 1.4% per annum over rolling 10-year periods (after fees). The AFCT was created on 17 May 2021 and was seeded on 8 June 2021.

The AFCT currently gains exposure to various asset classes and investment sectors by investing in three QIC funds, as provided below, while liquidity for AFCT is managed by holding funds in cash at bank of up to 1%.

The Public Trust Office Investment Board assists the Public Trustee by providing oversight of the investment management of the AFCT.

|  |  |  |
| --- | --- | --- |
| **Funds** | **Benchmark Allocation** | **Operating Range** |
| QIC Diversified Australian Equities Fund | 50% | 45% - 55% |
| QIC Long Term Diversified Fund  | 40% | 35% - 45% |
| QIC Short Term Income Fund  | 10% | 5% - 15% |
| **Total** | **100%** |  |

For the financial year ended 30 June 2023 the investment return of the AFCT was 9.15% and distribution of taxable income to the charitable trusts was 2.48% on the market value as at 30 June 2023.

# The Public Trustee of Queensland Financial Statements

# The Public Trustee of Queensland Investment Trusts Financial Statements

### Glossary

This glossary provides a simple description of some terms used in or relevant to this report to assist the reader.

Administrator

An administrator is a substitute decision-maker and makes decisions on behalf of an adult with impaired decision-making capacity in respect to financial matters. An administrator is appointed by the Queensland Civil and Administrative Tribunal or a Court under the *Guardianship and Administration Act 2000*.

**Advance life planning, life planning**

A term used to cover all documents, processes, and decisions associated with end of or advanced stages in life, including Wills, Enduring Powers of Attorney, Advance Health Directives and Statements of Choices.

**AFCT - Australian Foundation for Charitable Trusts**

The AFCT is an investment trust created in 2021. The Public Trustee is the trustee and manager of the AFCT and QIC Limited is the investment manager.

Attorney

An attorney is the person nominated by an individual under a power of attorney or an EPA to manage their affairs.

Beneficiary

A beneficiary is a person or organisation who receives a benefit under a Will or trust which may include personal effects, property or money.

Charitable and Philanthropic Trusts

The Public Trustee acts as trustee for various significant charitable and philanthropic trusts. These trusts are established for charitable purposes and usually will have a deductible gift recipient status, which means that people who make donations to the trustee for the use of the charitable trust can receive a tax deduction for the donation.

Common Fund

Under section 19 of the *Public Trustee Act 1978*, all moneys vested in or coming into the hands of the Public Trustee on behalf of clients, shall be held in one or more common funds and shall be invested by the Public Trustee.

Enduring Power of Attorney (EPA)

An EPA is an important legal document that gives someone else the power to make personal or financial decisions on behalf of the donor (the maker of the EPA) under the *Powers of Attorney Act 1998*. The Public Trustee accepts appointment as a financial attorney under EPAs.

Further information regarding EPAs can be found in the publication ‘Let’s talk about Enduring Powers of Attorney’ available online[[13]](#footnote-13).

Executor

The role of an Executor of a Will is to administer the estate of a deceased person and distribute the assets in accordance with the deceased’s Will.

Further information regarding executorship can be found in the publication ‘Let’s talk about Executor Services’ available online[[14]](#footnote-14).

Growth Trust (Public Trustee of Queensland Growth Trust)

A unit trust is an investment vehicle that enables a number of investors to pool their money to make investments in a variety of assets such as property and shares. The Growth Trust is a unit trust. The Public Trustee is the Trustee and manager of the Growth Trust. QIC Limited is the investment manager.

Intestacy

Where a person dies without a valid Will the person is said to have died intestate. The person who administers the estate and distributes it in these circumstances is normally referred to as an administrator. The Public Trustee is often asked to act as administrator in intestate estates.

The role of administrator for an intestate estate is different to an Administrator appointed under the *Guardianship and Administration Act 2000* for a living person with impaired decision-making capacity (see **Administrator**, page 109).

Majority

Majority is the age at which a minor (child) is said to have reached full legal age and is competent to manage his/her own affairs. The age of majority in Queensland is prescribed by the *Law Reform Act 1995*. Section 17 of the Act provides that “the age of majority is 18 years”.

Minor’s Trust

Often there is a need for a Trustee to hold property on behalf of a minor. The Public Trustee often becomes involved in a minor’s trust where the child has received assets from a deceased estate or personal injury claim etc. In these circumstances the Public Trustee holds the assets in trust for the benefit of the minor.

The Public Trustee

The Public Trustee is legislated by the *Public Trustee Act 1978* and is a corporation sole constituted by the Act.

The Public Trustee of Queensland

The appointment to the position of the Public Trustee of Queensland is made by the Governor in Council and the position holder is subject to the Minister for Justice.

The Public Trustee of Queensland Investment Trusts

The Growth Trust and the Australian Foundation for Charitable Trusts

Queensland Civil and Administrative Tribunal

The Queensland Civil and Administrative Tribunal has the legislative power to appoint guardians and administrators for an adult with impaired decision-making capacity. This makes sure that the adult’s needs are met, and their interests protected.

Trust

A trust exists where the owner of property is obliged to deal with that property for the benefit of some other person or people or for some particular purpose recognised by law, for example for a charitable purpose. There are three key elements of a trust: a trustee, beneficiary/beneficiaries (or, in the case of a charitable trust, a charitable purpose) and trust property.

Trustee

A trustee is the person (including the Public Trustee of Queensland) who holds the trust property and administers the trust in accordance with the terms of the trust for the benefit of the beneficiary/beneficiaries or the purpose of the trust. The trustee is under an obligation to deal with those assets not for his or her own benefit but for the benefit of the beneficiaries or the purpose of the trust (for example, a charitable purpose).

Will

A Will is a document stating how a testator (the maker of the Will) would like their estate (assets) to be distributed after they die. The *Succession Act 1981* defines how a Will should be prepared for it to be valid.

Further information regarding the Public Trustee’s will-making service can be found in the publication ‘Let’s talk about Wills’ available online[[15]](#footnote-15).

|  |  |
| --- | --- |
| ACN | Australian Company Number |
| AFCT | Australian Foundation for Charitable Trusts |
| B | Billion |
| BOM  | Board of Management  |
| CEO | Chief Executive Officer |
| CFO | Chief Finance Officer |
| CPI | Consumer Price Index |
| ELT | Executive Leadership Team |
| EPA | Enduring Power of Attorney |
| FTE | Full-time equivalent |
| GST | Goods and Services Tax |
| ICT | Information and Communication Technology |
| ISMS  | Information Security Management System  |
| ISO | International Organization for Standardization |
| M | Million |
| MOHRI | Minimum Obligatory Human Resources Information |
| N/A | Not applicable |
| PTAMB | Public Trustee Advisory and Monitoring Board |
| QAI | Queensland Advocacy for Inclusion |
| QAO | Queensland Audit Office |
| QCAT | Queensland Civil and Administrative Tribunal |
| QCF | Queensland Community Foundation |
| QDAN | Queensland Disposal Authority Number |
| QIC | QIC Limited ACN 130 539 123 |

| **Summary of requirement** | **Basis for requirement** | **Annual report reference** |
| --- | --- | --- |
| **Letter of compliance** | * **A letter of compliance from the accountable officer or statutory body to the relevant Minister/s**
 | ARRs *–* section 7 | 1 |
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 | ARRs – section 9.1 | iii109 |
| * **Public availability**
 | ARRs – section 9.2 | ii |
| * **Interpreter service statement**
 | *Queensland Government Language Services Policy*ARRs – section 9.3 | ii |
| * **Copyright notice**
 | *Copyright Act 1968*ARRs – section 9.4 | ii |
| * **Information Licensing**
 | *QGEA – Information Licensing*ARRs – section 9.5 | ii |
| **General information** | * **Introductory Information**
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| **Non-financial performance** | * **Government’s objectives for the community and whole-of-government plans/specific initiatives**
 | ARRs – section 11.1 | 10 |
| * **Agency objectives and performance indicators**
 | ARRs – section 11.2 | 4-8 |
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| **Governance – management and structure** | * **Organisational structure**
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| * **Executive management**
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| * **Public Sector Ethics**
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| * **Human Rights**
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| * **External scrutiny**
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| * **Information Security attestation**
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| **Governance – human resources** | * **Strategic workforce planning and performance**
 | ARRs – section 15.1 | 26 |
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 | Directive No.04/18 *Early Retirement, Redundancy and Retrenchment* ARRs – section 15.2 | 27 |
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| * **Consultancies**
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| * **Overseas travel**
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| * **Queensland Language Services Policy**
 | ARRs – section 31.3 | https://data.qld.gov.au |
| **Financial statements** | * **Certification of financial statements**
 | FAA – section 62FPMS – sections 38, 39 and 46ARRs – section 17.1 | 83, 108 |
| * **Independent Auditor’s Report**
 | FAA – section 62FPMS – section 46ARRs – section 17.2 | 84, 109 |

FAA *Financial Accountability Act 2009*

FPMS *Financial and Performance Management Standard 2019*

ARRs *Annual report requirements for Queensland Government agencies*



1. Comprised of 9,731 adults with impaired decision-making capacity, acting as financial attorney for 222 customers and managing the estate of 643 prisoners. [↑](#footnote-ref-1)
2. In addition, 2,170 wills drafted but remain unsigned. [↑](#footnote-ref-2)
3. www.pt.qld.gov.au/financial-administration/steps-to-financial-independence-pathway/ [↑](#footnote-ref-3)
4. www.pt.qld.gov.au/other-services/investments/how-does-the-public-trustee-of-queensland-invest-customer-administered-funds [↑](#footnote-ref-4)
5. www.pt.qld.gov.au/other-services/investments/monitoring-your-investment/ [↑](#footnote-ref-5)
6. www.pt.qld.gov.au/about/fees-and-charges/ [↑](#footnote-ref-6)
7. Remuneration of the Audit and Risk Management Committee was reviewed in early 2023 and the annual fee payable to the Chair was reduced from $18,700 to $6,000 per annum and to members from $12,500 to $4,500 per annum. [↑](#footnote-ref-7)
8. www.pt.qld.gov.au/contact/contact-us/how-we-manage-complaints/ [↑](#footnote-ref-8)
9. [www.pt.qld.gov.au/media/1948/complaints-management-policy.pdf](http://www.pt.qld.gov.au/media/1948/complaints-management-policy.pdf) [↑](#footnote-ref-9)
10. [www.pt.qld.gov.au/media/1947/your-complaints-journey.pdf](http://www.pt.qld.gov.au/media/1947/your-complaints-journey.pdf) [↑](#footnote-ref-10)
11. MOHRI FTE data for fortnight ending 30 June 2023. [↑](#footnote-ref-11)
12. https://www.pt.qld.gov.au/about/publications/investments/ [↑](#footnote-ref-12)
13. https://www.pt.qld.gov.au/media/1812/lets-talk-about-enduring-powers-[of-attorney\_brochure\_dl\_2020.pdf](https://www.pt.qld.gov.au/media/1812/lets-talk-about-enduring-powers-of-attorney_brochure_dl_2020.pdf) [↑](#footnote-ref-13)
14. https://www.pt.qld.gov.au/media/1815/lets-talk-about-executors\_brochure\_dl\_2020.pdf [↑](#footnote-ref-14)
15. https://www.pt.qld.gov.au/media/1813/lets\_talk\_about\_wills\_brochure\_dl\_2020.pdf [↑](#footnote-ref-15)