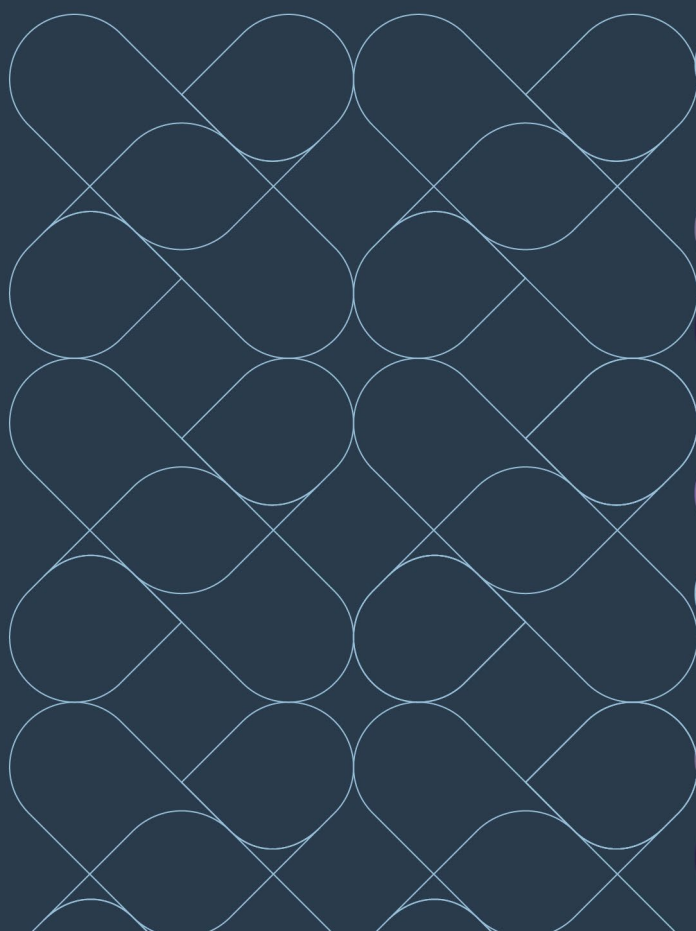


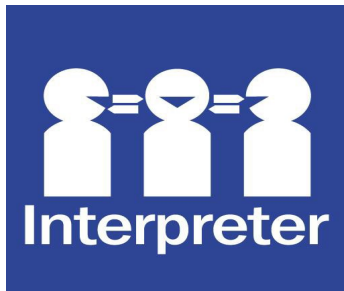


---

**PUBLIC TRUSTEE ADVISORY**  
and MONITORING BOARD

Annual Report 2023-24





## Accessibility

The report provides detailed information about the Public Trustee Advisory and Monitoring Board's performance for the 2023-24 financial year.

We are committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding the annual report, you can contact the Public Trustee Advisory and Monitoring Board by email [info@ptamboard.qld.gov.au](mailto:info@ptamboard.qld.gov.au) or free call the Translating and Interpreting Service on 1800 131 450 and we will arrange an interpreter to effectively communicate the report to you.

Published by the Public Trustee Advisory and Monitoring Board, October 2024.

© Public Trustee Advisory and Monitoring Board 2024

This annual report is licensed by the Public Trustee Advisory and Monitoring Board under a Creative Commons Attribution (CC BY) 4.0 International license. You are free to copy, communicate and adapt this annual report, as long as you attribute the work to the Public Trustee Advisory and Monitoring Board. To view a copy of this licence, visit: <http://creativecommons.org/licenses/by/4.0/> Content from this annual report should be attributed as: Public Trustee Advisory and Monitoring Board Annual Report 2023-24.



## Acknowledgement of Traditional Owners and Custodians

The Public Trustee Advisory and Monitoring Board (**the Board**) acknowledges the Traditional and Cultural Custodians of the lands, waters and seas across Queensland, pays respect to Elders past and present and recognises the role of current and emerging leaders in shaping a better service system. We recognise the First Nations people in Queensland are both Aboriginal peoples and Torres Strait Island peoples, and support the cultural knowledge, determination, and commitment of Aboriginal and Torres Strait Islander communities in caring for the wellbeing of our peoples for millennia.

The term 'First Nations peoples' and 'Aboriginal and Torres Strait Islander peoples' are used interchangeably in this report. Acknowledging First Nations peoples' right to self-determination, the Board respects the choice of Aboriginal and Torres Strait Islander people to describe their own cultural identities which may include these or other terms, including sovereign peoples or traditional place names.

The Board additionally acknowledges all First Nations people who are the clients or family of the Queensland Public Trustee (**QPT**).



The Honourable Yvette D'Ath MP  
Attorney-General and Minister for Justice and Minister for the  
Prevention of Domestic and Family Violence  
1 William Street  
Brisbane Qld 4000

Dear Attorney-General

I am pleased to submit for presentation to Parliament the 2023-24 Annual Report of the Public Trustee Advisory and Monitoring Board (**the Board**) as required by 117ZZA of the *Public Trustee Act 1978*.

This is the Board's second Annual Report, with the Board having been established on 9 December 2022.

Having established priorities and principles in 2022-23, the Board concentrated its efforts in 2023-24 on cementing its working relationship with the Queensland Public Trustee (QPT) and making recommendations to the QPT regarding improvements in its operations. Areas of focus included:

- a review of QPT's complaints management system;
- providing feedback on QPT's draft *Blueprint for the Future* and QPT's proposed reforms to its fees and charges for key services;
- a research program to expand the Board's knowledge of QPT's operations and those of other public trustee organisations in Australia and New Zealand; and
- developing a monitoring framework to provide a transparent and coherent structure for the Board's monitoring of the performance of QPT's functions in 2024-25 and beyond.

The Board met eleven times through the year, with the Public Trustee presenting at six of these to assist the Board.

There were several changes in the Board's membership during 2023-24, with Ms Jasmina Joldić delegating her role as a permanent Board member to Ms Sonya Reesby and subsequently Ms Sharon Bailey, and Mr Brendan O'Farrell resigning from his role as an appointed Board member. The Board thanks Ms Joldić, Ms Reesby and Mr O'Farrell for their contributions to the Board's work.

The Board looks forward to continuing to work with the QPT and yourself (and your successor upon your forthcoming retirement) with the goal of assisting the QPT improving outcomes for vulnerable Queenslanders, their families and the wider community.

Yours sincerely

Geoff Rowe

**Chairperson**

**Public Trustee Advisory and Monitoring Board**

10 October 2024



## Table of Contents

Foreword from the Chairperson, Public Trustee Advisory and Monitoring Board .....	5
The Public Trustee Advisory and Monitoring Board.....	6
The legislative basis of the Board .....	6
Membership of the Board as at 30 June 2024 .....	7
Board Meetings during 2023-24 .....	8
Board activities for 2023-24 .....	9
The Board's working relationship with QPT.....	9
Review of QPT's Complaints Management System.....	9
Board feedback on QPTS2033 – Blueprint for the future.....	10
Board feedback on proposed fees and charges reform for key QPT services .....	10
Board Research Program .....	11
Monitoring Framework .....	11
Board Reporting to the Attorney-General .....	11
Board Website .....	11
Acknowledgments.....	12



## Foreword from the Chairperson, Public Trustee Advisory and Monitoring Board

I am pleased to present the 2023-24 Annual Report of the Public Trustee Advisory and Monitoring Board (the Board). The Report outlines the activities undertaken over the last financial year, after the Board's initial establishment undertaken in the latter half of 2022-23.

During 2023-24, the Board met 11 times, having robust discussions each meeting about a wide array of topics focused on modernizing and improving QPT's support to vulnerable Queenslanders.

Pleasingly, the QPT attended six meetings throughout the year, presenting on different facets of its operations to assist the Board in its advisory and monitoring functions. The regularity of this attendance at Board meetings has been appreciated and bodes well for future cooperation.

The Board made a number of proactive recommendations to QPT, all of which have been acted on to varying extents. These recommendations included:

- recommendations for improvements to QPT's complaints management system;
- feedback on QPT's draft *Blueprint for the Future* and QPT's proposed reforms to its fees and charges for key services;
- establishment of a monitoring framework to provide a transparent and coherent structure for the Board's monitoring of the performance of QPT's functions in 2024-25 and beyond.

Additionally, the Board met with Queensland's Public Advocate, John Chesterman, twice and I had the opportunity to meet with the Attorney-General to discuss the Board's activities. The Board is appreciative of the high level of engagement with these stakeholders.

The Board aspires to pursue further objectives in the coming year, as it seeks to achieve a higher level of excellence in the services of QPT. In performing its functions, the Board will continue to act independently and in the public interest.

Yours sincerely

Geoff Rowe

**Chairperson**

**Public Trustee Advisory and Monitoring Board**



## The Public Trustee Advisory and Monitoring Board

In January 2021, Queensland's (then) Public Advocate, Ms Mary Burgess, delivered her report *Preserving the financial futures of vulnerable Queenslanders: A review of Public Trustee fees, charges and practices (the Public Advocate's report)* to the (then) Attorney-General, the Honourable Shannon Fentiman.

The Public Advocate's report contained 32 recommendations in relation to the Public Trustee's fees, charges and practices, including:

### *Recommendation 30: Consider additional oversight mechanisms*

*The Queensland Government should consider whether the Public Trustee and its clients would benefit from additional oversight and/or reporting mechanisms to improve the Public Trustee's performance, transparency and public accountability.*

In response to the above recommendation, amendments to the *Public Trustee Act 1978 (the Act)* were undertaken to establish the Public Trustee Advisory and Monitoring Board (**the Board**) – the amendments were assented to by the Governor of Queensland, Her Excellency the Honourable Dr Jeannette Young AC PSM on 20 May 2022.

This is the second annual report of the Board, covering the Board's first full year of operating on the principles and guidelines established in the 2022-23 financial year, as published in the Board's previous annual report.

The Board is pleased to advise that significant progress has been made in the realisation of Recommendation 30 above in 2023-24.

## The legislative basis of the Board

The legislative basis of the Board is enshrined in Part 8A of the Act.

Section 117Y of the Act stipulates the functions of the Board as follows:

- (a) to monitor and review the performance of QPT's functions;
- (b) to monitor complaints received by QPT about the performance of QPT's functions;
- (c) to monitor and review QPT's processes for managing complaints mentioned in paragraph (b);
- (d) to give written advice or make written recommendations to the Minister about the following—
  - (i) changes to legislation, or improvements to the policies, practices, resources, services or training of QPT, to ensure QPT can effectively perform its functions;
  - (ii) improvements or enhancements to the performance of QPT's functions to promote the interests of QPT's clients, particularly clients with impaired decision-making capacity;
- (e) if asked by the Minister, to give written advice or make written recommendations to the Minister about matters relating to the performance of QPT's functions;
- (f) to give advice or make recommendations to QPT about matters relating to the performance of QPT's functions;
- (g) another function given to the Board under the Act.

Additionally, Section 117ZA provides that in performing its functions the Board must act independently and in the public interest, and is not subject to direction by anyone, including the Minister, in how it performs its functions.





## Membership of the Board as at 30 June 2024

### *Appointed Members*

**Chairperson – Mr Geoff Rowe** – Mr Rowe is the Chief Executive Officer of Aged and Disability Advocacy Australia and brings to the Board 40 years' experience in human services, including senior executive positions in the Queensland Government and not-for-profit sector. His current statutory appointments include the Queensland Voluntary Assisted Dying Review Board and the Australian Health Protection Principal Committee's Aged Care Advisory Group.

**Professor Jennifer Cullen AM** - Professor Cullen, a descendant of the Bidjara and Wakka Wakka people, is CEO of Synapse Australia Ltd. Professor Cullen has over 27 years' experience in disability and aged care services and has received many awards relating to support and advocacy for vulnerable persons.

**Ms Aimee McVeigh** - Ms McVeigh is a lawyer and human rights advocate who has significant experience acting for and advising people with disability and their families. Ms McVeigh is currently the CEO of the Queensland Council of Social Services and was previously the Director of Disability Law Queensland and also established the private sessions function at the Disability Royal Commission. Ms McVeigh is a graduate of the Institute of Company Directors and has held numerous board roles, including currently being appointed to the Metro North Health and Hospital Board.

**Ms Joanne Peulen** - Ms Peulen is a board and governance specialist and consultant with expertise in strategic financial and business risk management. Her 23 years' career experience includes leading high-performing teams in the energy sector, advising government departments and corporations on policy, process and systems design and implementation, and 6 years as a board member in the not-for-profit and disability sector. She also has lived experience with disability.

**Ms Kym Vickery** - Ms Vickery is an experienced finance professional with over 30 years working in the financial services sector. She has extensive financial and public sector leadership experience, having held senior roles within Queensland Treasury, Queensland Investment Corporation, Ergon Energy and Queensland Treasury Corporation. Her industry knowledge covers debt and investment markets, superannuation, finance, risk management, and corporate governance. She also has a deep understanding of Queensland public sector finances and legislation.

### *Permanent Members*

**Ms Helen Dogan**, Acting Deputy Under Treasurer, Queensland Treasury. Ms Dogan is a senior executive with over 20 years' experience in government, working in policy and financial roles across a range of portfolios, including Treasury, Agriculture and Fisheries, Health and Energy.

**Ms Sharon Bailey** - Deputy Director-General, Department of Justice and Attorney-General. Ms Bailey has held senior executive positions with Department of Energy and Climate Change, the Department of the Premier and Cabinet and the Commonwealth Department of Social Services. Ms Bailey has led large teams and worked across various areas of government responsibility including procurement, migrant settlement, community cohesion, education, arts, public works, community services development and child protection.

**Ms Kathy Parton**, Deputy Director-General, Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts. Ms Parton is a senior executive with more than 20 years' experience in government, working across departments and statutory bodies.

**Mr Max Wise**, Deputy Director-General, Disability, Seniors and Carers. Mr Wise has worked for the Queensland Government for over 35 years, including almost 20 years in senior leadership positions in





regulatory, oversight and service delivery roles, across a range of portfolios including justice, treasury, health, child protection, disability and seniors.

### Previous Members

**Ms Jasmina Joldić**, (until 28 January 2024) - Ms Jasmina Joldić PSM has been the Director-General of the Department of Justice and Attorney-General since May 2023. Ms Joldić has previously served as Associate Director-General with Queensland Health, Assistant Director-General with the Department of State Development, Infrastructure, Local Government and Planning, and in roles with the Department of Community Safety, Department of the Premier and Cabinet, University of Queensland, The University of Melbourne, and the Commonwealth Department of the Prime Minister and Cabinet. Ms Joldić was awarded an Australia Day Public Service Medal in 2022 for her public service, particularly for her leadership at Queensland Health during Queensland's COVID-19 pandemic response. She received the Griffith University and Griffith Business School Alumnus of the Year awards in 2023. Ms Joldić is a current member of the Australia and New Zealand School of Government (ANZSOG) Board, the Queensland Government's Public Sector Governance Council, the Institute of Public Administration Australia (IPAA) Queensland Division Council, and the Children's Hospital Foundation Legacy Advisory Committee. She holds a BA (Hons) from the University of Queensland and Graduate Certificate in Policy Analysis and Master of Public Administration (Public Policy) from Griffith University.

**Mr Brendan O'Farrell** (until 5 April 2024) - Mr O'Farrell is an experienced Non-Executive Director, and Advisory Board Member, currently sitting on a number of Company Boards across various industry sectors. Mr O'Farrell currently operates his own consulting firm, Maple Tree Consulting Pty Ltd. Brendan's current directorships include Stadiums Queensland, TUH Health Fund, investLogan Pty Ltd, Broncos Leagues Club. Mr O'Farrell holds an MBA, is a Graduate from the Australian Institute of Company Directors and has undertaken various courses in Strategic Management from Wharton Business School and Leading and Building an Innovative Culture from Harvard Business School. Previously, Mr O'Farrell had over 25 years' experience in Senior Executive Roles from General Manager to Chief Executive Officer.

**Ms Sonya Reesby**, (29 January 2024 – 12 April 2024) Executive Director, Department of Justice and Attorney-General in Acting Deputy Director-General capacity. Ms Reesby is an experienced public sector executive with 25 years working in government in Queensland, Victoria, the United Kingdom and New Zealand.

### Board Meetings during 2023-24

The Board holds Regular Meetings to achieve its core functions of monitoring the operations of, and providing timely and relevant advice and recommendations to, the Minister and QPT.

Regular Meetings are held on a monthly basis, generally on the first Friday of each month. During 2023-24, the Board held 11 Regular Meetings, in addition to a number of working group meetings and one ad hoc meeting. Regular Meetings of the Board throughout the 2023-24 financial year were held on:

7 July 2023	4 August 2023	1 September 2023	6 October 2023
3 November 2023	1 December 2023	9 February 2024	1 March 2024
5 April 2024	3 May 2024	7 June 2024	

At each of the Regular Meetings, a quorum was available for decision-making purposes.



The Public Trustee, Mr Samay Zhouand, and senior members of his staff attended six of the Board's Regular Meetings to present on various aspects of QPT's operations and strategies as requested by the Board.

In addition, the Public Advocate, Mr John Chesterman, attended two of the Board's meetings to discuss the implementation of the recommendations of the Public Advocate's report, and the recommendations made by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

### Board activities for 2023-24

The Board spent considerable time following its establishment in 2022-23 planning its longer-term goals and priorities over its three-year tenure. The Board established the below key goal-based focus areas of work.

- **Governance and Structure:** QPT is high performing with independent governance structures.
- **Fees and Charges:** QPT's fees and charges are fair and reasonable, and transparently calculated.
- **Complaints:** QPT's complaints processes are accessible, transparent and deal with customer complaints effectively.
- **Culture and Strategy:** QPT's culture and strategy is consistent with community expectations and in line with the *Human Rights Act 2019*.

In 2023-24, the Board undertook activities in alignment with these focus areas as described below.

### The Board's working relationship with QPT

One of the most pleasing developments in the work of the Board throughout 2023-24 was the quality of the engagement that the Board established with QPT.

Throughout the year, QPT presented on specific topics requested by the Board at Board meetings, and was always responsive to requests made by the Board for information and materials to assist the Board in carrying out its functions.

The Board thanks the Public Trustee, Mr Samay Zhouand, and the members of QPT's executive and staff who attended Board meetings to deliver presentations and answer questions, and also QPT staff who assisted by providing information and materials requested by the Board.

Another pleasing development in the Board's work was QPT's evident willingness to engage with the Board's advice and implement the Board's recommendations. The open and transparent manner in which QPT acknowledged challenges with a view to improving the way it delivers services to the Queensland community is both courageous and encouraging for the future.

Examples of the Board's work in 2023-24 are set out below.

### Review of QPT's Complaints Management System

The Board undertook a detailed review of QPT's complaints management system (**CMS**), which identified a range of issues. For example, the Board found that the documentation and instructions suite were not contemporaneous, not wholly in alignment with contemporary accessibility standards, and could have been better tailored to meet the needs of QPT's clients. This highlighted the long-standing nature of the CMS and the importance of regular reviews to incorporate the evolving views and perspectives of clients and their support networks.

The Board submitted its advice and recommendations regarding the CMS to QPT on 27 October 2023.

In response to the Board's advice and recommendations, QPT reviewed all aspects of its CMS and initiated a range of changes to improve the CMS in line with contemporary complaint management standards.



QPT reported back to the Board on the progress of the changes to its CMS, which exceeded the Board's initial expectations. Importantly, many of the issues discussed in the Board's advice and recommendations about the CMS were implemented elsewhere in QPT's public documentation.

Pleasingly, a comparative research project undertaken by the Board revealed that QPT's CMS is now in many respects the most comprehensive of all public trustee organisations in Australia and New Zealand. The Board's research also found that QPT's complaints reporting is the most transparent and detailed of all Australian and New Zealand public trustee organisations. The Board looks forward to continuing to work with QPT to further enhance the quality of the CMS in 2024-25.

#### **Board feedback on QPTS2033 – *Blueprint for the future***

QPT specifically requested the Board's feedback and recommendations on its future planning document, *QPTS2033 – Blueprint for the future (the draft Blueprint)*.

The Board devoted considerable time to reviewing the draft Blueprint, given its important strategic nature and implications for the future direction of QPT.

The Board provided its advice and recommendations regarding the draft Blueprint to QPT on 21 December 2023.

QPT has since revised the Blueprint, taking into consideration the Board's feedback.

The Board looks forward to continuing to work with QPT to finalise the draft Blueprint in 2024-25.

#### **Board feedback on proposed fees and charges reform for key QPT services**

On 20 February 2024, QPT released its public consultation paper regarding proposed reforms to its fees and charges for its key services, in response to Recommendation 1 of the Public Advocate's report.

The consultation paper provided an analysis of QPT's existing fee structures, and presented various reform options for consideration in relation to the three key services provided by QPT on a fee-for-service basis, namely:

- **Financial Management:** assisting customers experiencing impaired capacity for financial decision-making as QCAT-appointed administrator or as attorney for financial matters under an Enduring Power of Attorney;
- **Deceased Estate Administration:** acting as executor or administrator of a deceased estate and assisting private executors; and
- **Trust Administration:** providing trustee services for a range of trusts including trusts for minor beneficiaries, life interests and rights of residence, and charitable trusts.

Following the release of the consultation paper, the Board provided advice and recommendations to QPT on how the proposed public consultation process could be enhanced to enable QPT to obtain as much feedback as possible from its customers and their supporters, stakeholder organisations, and the Queensland community generally.

This advice was sent on 13 March 2023 and QPT took immediate steps in response to the Board's recommendations to enhance accessibility of the public consultation process, and also extended the duration of the public consultation period by five weeks.

The Board devoted considerable time and effort to formulating its response to the consultation paper. With the agreement of QPT, the Board submitted its response directly to QPT in line with its legislated functions.

The Board sent its detailed response to the consultation paper to QPT on 31 May 2024.

The Board looks forward to liaising further with QPT regarding reforms to its fees and charges in 2024-25.



## Board Research Program

The Board also continued to develop its workplan to systematically increase its knowledge of the operations of QPT and other public trustee organisations in Australia and New Zealand.

A substantial piece of research undertaken by the Board was a comparative study of public trustee organisations in each Australian State and Territory and New Zealand.

This research provided the Board with the ability to compare the organisational structure, governance, staffing, funding, key services, fees and practices of QPT with those of other public trustee organisations.

The Board has begun examining findings of this research and anticipates that it will lead to the provision of further advice and recommendations regarding the performance of QPT's functions.

## Monitoring Framework

The Board also devoted considerable time and effort over the course of 2023-24 to the development of a Monitoring Framework to provide structure and priorities for the Board to follow in monitoring QPT's performance and measuring QPT's progress against key criteria.

The Monitoring Framework was provided in draft form to QPT, the Public Advocate, and the Queensland Disability Advisory Council for their input. The feedback provided by all three bodies was incorporated into the finalised Monitoring Framework.

The Monitoring Framework provides a transparent and coherent structure for the Board's monitoring of the performance of QPT's functions in 2024-25 and beyond.

## Board Reporting to the Attorney-General

The Board adopted the practice of providing the Attorney-General with a report on a quarterly basis to keep the Attorney-General abreast of its progress in providing ongoing monitoring, advice and recommendations with regard to the performance of QPT's functions.

## Board Website

The Board now has an active web presence, with its website ([www.ptamboard.qld.gov.au](http://www.ptamboard.qld.gov.au)) available with Board activities, reports, and membership. This will be updated periodically to reflect new information.



## Acknowledgments

The Board wishes to thank the following for their assistance in its first full year of operation in 2023-24.

- The Public Trustee, Mr Samay Zhouand, for his ongoing engagement and co-operation with the Board, and QPT's Board of Management for their attendance and valuable input at selected Board meetings.
- The Public Advocate, Mr John Chesterman, for his valuable input at selected Board meetings and in relation to the Monitoring Framework.
- The Queensland Disability Advisory Council for its valuable input in relation to the Monitoring Framework.
- The Department of Justice and Attorney-General for its ongoing support as the host agency to the Board.
- The Board Secretariat, (consisting of Mr Michael Meehan – Manager, Mr Geoff Cameron – Principal Policy Officer, and Ms Kahren Giles – Administrative Officer) for providing the full range of secretariat services, including governance, operational, research, and administrative support to the Board.

