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ACT Public Trustee and Guardian 'shortcomings' identified in audit

 By [Lucy Bladen](#)
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📷 ACT Auditor-General Michael Harris. Picture by Keegan Carroll

Canberrans under guardianship whose finances are subject to government control have not been properly consulted about their financial position, an audit that highlighted misconduct concerns found.

A range of shortcomings in the Public Trustee and Guardian have been identified by the Auditor-General, in areas such as governance, administrative and service delivery arrangements.

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The financial management services of the public trustee have been described as "poor" and the Auditor-General has recommended a range of reviews and updates to processes.

"Shortcomings have been identified across a range of governance, administrative and services delivery arrangements," Auditor-General Michael Harris said.

The public trustee supports people who are unable to manage their affairs due to accident, illness, age or disability and do not have an enduring power of attorney



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This is appointed by the ACT Civil and Administrative Tribunal who will name a financial manager to manage a person's finances. This may be from the public trustee or a private manager who is overseen by the public trustee.

The audit found people under guardianship were not being properly informed.

"The PTG has effective processes for the identification of a protected person's income, expenses, assets and liabilities as well as any ongoing management issues, when it is first appointed as a financial manager," the report said.

"However, in a number of instances in the case files review there was no evidence of the protected person being consulted during this process.

"Similarly, in a number of instances in the case files reviewed, there was no evidence of a protected person being consulted in the development of an annual budget."

The audit found the public trustee had ineffective processes to receive complaints and did not seek "meaningful" feedback from clients about financial management services.

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Data has also suggested there is an increasing lack of compliance by private managers in their reporting obligations.

"The Public Trustee and Guardian (PTG) is ineffective in its examination of private managers' accounts," the report said.

"The number of protected persons with private managers has steadily increased, while the number of accounts submitted by private managers for review by the PTG has decreased.

"The data suggests that there is an increasing lack of compliance by private managers with their reporting obligations."

The audit also raised concerns of misconduct.

The report said in late-2021 the public trustee became aware of potential misconduct by a financial manager. The public trustee

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This report identified "systemic failures" on a number of participants and it was recommended a formal misconduct investigation take place. However, the manager resigned just days after the findings from the preliminary assessment were delivered.

This meant the public trustee was unable to identify whether any potential corruption or criminal activity had taken place.

"Because of the PTG's failure to commence a misconduct investigation in a timely manner the PTG financial manager was able to resign and effectively prevent any further investigation from occurring," the report said.

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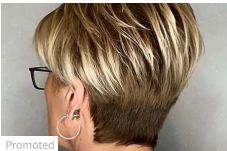
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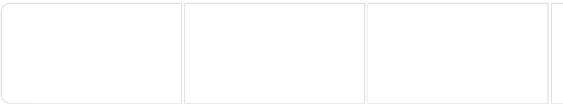
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