

(iii) BUDGET (OPERATING) 2002-2003

OPC has its budget approved by the Director General of the Attorney General's Department.

	2003-2004 Budget \$'000	2002-2003 Actual \$'000
Operating Revenues		
Investment Income	350	296
Registry Fees	171	170
Court Directions and Supervision Fees	647	655
Income and Capital Commission (Note 1)	1,858	7,177
Management Fees (Note 1)	9,375	-
Investment Fund Fees (Note 1)	4,125	-
Government Funding	9,000	4,810
Fees - additional services to clients (Note 1)	167	784
Fee for provision of Taxation Service (Note 1)	32	313
Financial Planning Fees (Note 1)	31	80
OPC Services to OPG	204	204
Profit on Sale of Assets	-	2
Transfer under Former Section 55(1)(c) of the Protected Estates Act	1,939	9,064
Total Revenue	27,899	23,102
Operating Expenses		
Salary & Related (Note 2)	18,032	19,002
Operating Expenses	5,656	4,984
Maintenance	856	1,086
Depreciation	1,925	1,800
Total Operating Expenses	26,469	26,872
Surplus/(Deficit) (Note 3)	1,430	(3,770)
Capital Revenues		
Transfers Sects 55 (1)(c) of the Protected Estates Act	1,634	1,519
Total Capital Revenue	1,634	1,519
Total Capital Expenditure	1,634	1,519

Note 1. It is anticipated that OPC will introduce a new fee structure from 1 October 2003. From that date Income and Capital Commissions will no longer be charged for OPC managed clients, instead Management Fees and

Investment Fees will be levied. It is anticipated that no other fees will be charged by OPC from 1 October, 2003.

Note 2. Superannuation costs in 2002-03 increased by \$1,534M as a result of an actuarial assessment of Employer liability at 30 June 2003. In addition, Employee Related Costs increased by a further \$0.768M due to the implementation of revised accounting standards for the treatment of leave liability and associated oncosts.

Note 3. OPC is in the process of fully outsourcing its Investment Funds. The costs of doing so are unknown at this stage and have not been included in the budget for 2003-04.

*These figures are for OPC exclusively. The financial statements which follow in this report include the operations of OPG.

(iv) CODE OF CONDUCT AND ETHICS

OPC is covered by the NSW Attorney General's Department (AGD) Code of Conduct. There were no changes to the AGD Code of Conduct during this reporting period.

(v) CONSULTANTS

OPC engaged three (3) consultants during the reporting period at a total cost of \$32,797. The consultancies provided advice on a Facilities Plan for new accommodation for OPC, advice regarding Clients' Insurance needs and guidelines for inspections of client's properties.

(vi) DISABILITY PLAN

OPC has continued to implement the AGD Disability Plan through the

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(Disability Plan Cont'd)

implementation of the Disability Awareness program. This program focuses primarily on improving the skills of frontline staff. In-house training was provided by the following peak disability groups:

- * Intellectual Disability Rights Service
- * Schizophrenia Fellowship of NSW
- * Central Sydney Area Mental Health Service
- * People with Disabilities
- * Alzheimers Australia
- * Brain Injury Association

OPC staff also participated in Disability Awareness Sessions offered through the AGD Corporate Development & Training and Flexible Service Delivery Program.

OPC provides reasonable workplace adjustment for 18 staff with a disability. These adjustments included provision of appropriate ergonomic equipment and modifications to the workplace based on the advice of the Commonwealth Rehabilitation Service. In addition, flexible working policies were used to assist staff with a temporary disability perform their duties whilst undergoing rehabilitation.

Some of the initiatives first introduced through the Flexible Service Delivery project have become part of OPC's general practice.

For example, OPC's new communication style guide sets the standard font style and size used by OPC as Arial 12 point to aid people with sight impairment. Also the style guide emphasises the need to use

plain English when communicating with clients and others. All temporary offices established in regional areas were accessible for people with a range of disabilities and also enhanced access for clients and significant people in their lives by removing the need to travel to Sydney for the meetings.

The efforts OPC made to enable clients who lack capacity to provide feedback through the client survey are referred to earlier in this report on page 14.

As publications were reprinted the look and format were reviewed to address the ease of access to the information and clarity for people with a range of disabilities. This will be a continuing activity for OPC as publications are reprinted.

PRIORITIES FOR 2003-2004 INCLUDE:

- * OPC will conduct focus groups in a number of areas to collect qualitative feedback regarding the services, the way they are delivered and the need for service enhancements.

(vii) ELECTRONIC SERVICE DELIVERY

OPC has implemented a number of electronic service delivery systems to improve the efficiency and cost effectiveness of those services it delivers both internally and to external stakeholders. These are outlined on page 29 of this report.

OPC plans to introduce Electronic Funds Transfer for corporate payments in 2003-2004.

(viii) EQUAL EMPLOYMENT OPPORTUNITY

TABLE A. TRENDS IN THE REPRESENTATION OF EEO GROUPS¹

EEO Group	% of Total Staff ²				
	Benchmark or Target	2000	2001	2002	2003
Women	50%	56%	56%	55.7%	58.9%
Aboriginal people and Torres Strait Islanders	2%	1.6%	2%	1.7%	2.4%
People whose first language was not English	19%	28.7%	35.6%	35%	36.3%
People with a disability	12%	8.1%	8.3%	10.5%	10.8%
People with a disability requiring work-related adjustment	7%	5.4%	5.5%	6.8%	7.2%

TABLE B. TRENDS IN THE DISTRIBUTION OF EEO GROUPS¹

EEO Group	Distribution Index ³				
	Benchmark or Target	2000	2001	2002	2003
Women	100	101	100	107	125
Aboriginal people and Torres Strait Islanders	100	1.1	1.1	1.5	2
People whose first language was not English	100	31.5	44.7	42	45.3
People with a disability	100	8.7	9.9	11.8	12.3
People with a disability requiring work-related adjustment	100	5.4	5.1	7	7.6

Notes:

1. Staff numbers are as at 30 June.
2. Excludes casual staff.
3. A Distribution Index of 100 indicates that the centre of the distribution of the EEO group across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be more concentrated at lower salary levels than is the case for other staff. The more pronounced this tendency is, the lower the index will be. In some cases the index may be more than 100, indicating that the EEO group is less concentrated at lower salary levels. The Distribution Index is automatically calculated by software provided by ODEOPE.

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Equal Employment Opportunity (Cont'd)

OPC's employment equity strategies are detailed in the EEO Strategic Management Plan of the Attorney General's Department.

The Outcomes to be achieved through this Plan can be summarised into nine key areas:

1. Sound Information Base

EEO statistical data held by OPC is accurate and complete, with 100% completion of EEO survey data. Hence, OPC's current reporting data is all encompassing.

2. Employee Views Heard

OPC conducted a staff survey during 2002-2003. This will be followed up by groups of staff providing feedback required to change practices within OPC to address issues of equity and participation.

3. EEO Outcomes included in Agency Planning

EEO outcomes and priorities are considered in the development of OPC's Business Plan through our Key Corporate Challenges.

4. Fair Policies and Procedures

All Human Resource policies recognise the diverse needs of OPC staff and are designed to promote and support EEO outcomes. Flexible working policies are promoted for staff attempting to balance their work and family responsibilities.

5. Needs based Programs for EEO Groups

OPC has three (3) identified positions for Aboriginal or Torres Strait Islander staff.

6. Managers and Employees informed, trained and accountable for EEO

OPC managers have been trained in the Performance Planning and Development Programme which includes the need to consider EEO issues in providing feedback to staff.

7. A workplace culture displaying fair practices and behaviour

OPC promotes a workplace culture displaying fair practices and behaviour. As part of the Attorney General's Department's Right to Dignity at Work strategy, 226 staff attended 22 workshops on the prevention of workplace bullying and harassment.

8. Improved employment access and participation by EEO groups

OPC's continuing implementation of its restructure has brought some positive outcomes for some EEO groups. This year there has been:

- * an increase of 11% in women earning \$37,709 - \$42,156 pa
- * an increase of 5% in women earning \$42,157 - \$53,345 pa
- * an increase of 4.9% in women earning \$53,346 - \$68,985 pa
- * an increase of 0.7% in Aboriginal and Torres Strait Islander staff employed
- * an increase of 4.5% in staff from a Racial, Ethnic, Ethno-Religious Minority Groups earning \$68,986 - \$86,231 pa
- * an increase of 0.3% in staff with a disability
- * an increase of 0.4% in staff with a disability requiring adjustment at work

However, for the same period OPC has also seen decreases in some EEO group categories:

- * 2.8% in women earning \$68,986 - \$86,231
- * 2.8% in salary \$37,709 - \$42,156 for staff from Racial, Ethnic, Ethno-Religious Minority Groups
- * 1.7% in salary \$37,709 - \$42,156 for people whose language first spoken as a child was not English.

9. A diverse and skilled workforce

Women make up 58.9% of OPC's staff. However, one of the challenges for OPC remains the over representation of women in the lower salary levels. Women make up 72.2% of staff earning \$28,710 - \$37,708 pa and 72.3% of staff earning \$37,709 - \$42,156. Similarly for these two salary levels, OPC has an over representation of staff whose language first spoken as a child was not English, 77.8% and 59.6% respectively.

PRIORITIES FOR 2003-2004 INCLUDE:

- * Analyse issues raised by staff in the 2002-2003 OPC Staff Survey and develop plans through working groups
- * Continue to promote awareness and encourage completion of Exit Questionnaires
- * Monitor and analyse grievances lodged and Exit Questionnaires
- * Collect qualitative information through the exit questionnaires, informal feedback and grievance handling.

(ix) ETHNIC AFFAIRS

ETHNIC AFFAIRS POLICY

OPC is committed to providing appropriate services to meet the individual needs of all clients.

ETHNIC AFFAIRS PRIORITY STATEMENT (EAPS)

OPC clients come from a diverse range of ethnic and linguistic backgrounds. The major activities undertaken in the reporting year to improve services and delivery to all our clients, were:

- * the engagement of interpreters for clients on 186 occasions and for Private Managers on occasions during the reporting period
- * all new brochures have information regarding how to access the interpreter service where required. This information is printed in 21 languages
- * OPC's new letterhead includes instructions for the recipient if an interpreter is required. These instructions are printed in 21 languages
- * on request the Community Liaison Officer makes direct contact with potential clients and their families from non English speaking backgrounds to enable customising of the information to meet their needs
- * the Cultural Competencies training module for Client Service Division staff was implemented this year. The new course "Enhancing Cultural

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Ethnic Affairs (cont'd)

Competencies" was developed using material from the Transcultural Mental Health Centre and incorporates OPC's policy for the use of Interpreters. Also, staff attended Cross Cultural communication courses run by AGD. Two Cross Cultural communication courses were conducted exclusively for OPC staff

- * in recognition of the ethnic and linguistic diversity of our client base, OPC is seeking to expand the use of the Community Language Allowance Scheme (CLAS). Eleven (11) staff have been nominated to undertake the 2003 CLAS examinations conducted by the Community Relations Commission. If all these staff are successful in passing the examination OPC will be able to provide enhanced communication with clients in the following community languages - Greek, Italian, Spanish, Russian, Slovak, Arabic, Vietnamese, Indonesian, Filipino and Japanese next financial year.

PRIORITIES FOR 2003-2004 INCLUDE:

- * Promote the increase in staff assessed as being able to provide assistance in Community languages
- * Improve data on the client information system to allow reporting on the number of clients requiring interpreters and the range of languages represented
- * Continue to increase awareness of the role and functions of OPC among community groups from non-English speaking backgrounds

- * Review the need for publications in languages other than English
- * Specifically include clients and family members from culturally and linguistically diverse groups when inviting participants for focus groups to gain feedback on service improvements later next financial year

(x) FREEDOM OF INFORMATION

The Freedom of Information Act 1989 provides a formal mechanism for members of the public to access particular information about government bodies.

In 2002-2003 the Freedom of Information Coordinator's role at OPC was performed by the Director, Corporate Services. This provides a high level organisational focus aimed at ensuring that all requests for information are handled promptly and in accordance with legislative obligations.

In 2002-2003 there were 17 formal applications lodged under the Freedom of Information Act 1989 which is a decrease of 2 from the previous year. Full access was granted in 9 cases with partial access being granted in 3 cases and access in another form (inspect only) in 3 cases. Two matters resulted in decisions to decline access to the information sought.

All applications were processed within 21 days of receipt and took less than 10 hours to process. Four hundred and ten

dollars (\$410) were received in application fees. This included discounted application fees for financial hardship on 6 occasions.

There were no requests for internal review of decisions made under the Act.

Members of the public who would like to make a Freedom of Information application may contact the Office of the Protective Commissioner FOI Co-ordinator.

(xi) GRANTS

There were no grants made to any non-government community groups during the year.

(xii) GUARANTEE OF SERVICE

Our commitment to service is to ensure that clients have a carefully and professionally planned financial future - one that meets their lifestyle needs and is within their available financial resources. We strive to provide a high level of service and our staff members are committed to:

- * maintaining the highest ethical standards of integrity, equality and confidentiality
- * serving our clients' needs with the best that our professional skills and experience can offer
- * respecting different cultures
- * upholding the principles of the Guardianship Act, 1987 in every aspect of our work.

Service Standards for Estate Management and Private Management Support are published and available from OPC.

We undertake to respond to phone calls within 2 working days and correspondence within 15 working days.

Details of OPC's complaint handling processes can be found on page 11.

(xiii) LAND REGISTER

OPC does not own land and so does not maintain a Land Register. No land owned by OPC was sold or disposed of this year.

(xiv) LEGAL CHANGES

The *Guardianship and Protected Estates Legislation Amendment Act 2002* commenced on 28 February, 2003.

The Act provides for:

- * The separation of OPC from the Supreme Court, with the Protective Commissioner no longer being an officer of the Court
- * Changes to the way in which Authorised Visitors (previously known as Court Visitors) are appointed. They will generally be appointed by the Protective Commissioner to visit clients and prepare reports on their

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(Legal Changes Cont'd)

- situation, care and circumstances
- * Review by the Administrative Decisions Tribunal of decisions made by OPC
 - * The Protective Commissioner now having a statutory function to supervise and direct Private Managers rather than doing so on behalf of the Supreme Court
 - * Private Managers being able to invest funds through OPC and to access the services of OPC's financial planning unit.

(xv) OVERSEAS TRIPS

No OPC staff member undertook an overseas trip during the 2002-2003 financial year.

(xvi) PRIVACY MANAGEMENT

The nature of the relationship OPC has with clients in managing their financial affairs means we collect and maintain a wide range of personal information regarding their lifestyle choices, significant relationships, health care needs and living arrangements. For many clients financial management orders may be in place or renewed on an ongoing basis for the rest of their lives and their expenditure records are maintained to answer inquiries regarding expenditure.

OPC sought appropriate exemptions from the Privacy and Personal Information Act from the NSW Privacy Commissioner. However, where possible OPC will endeavour to implement the privacy principles rather than invoke the exemptions granted.

(xvii) PUBLICATIONS

Publication	Purpose
Protective Commissioner's Annual Report 2001-2002	Report on performance against OPC's Business Plan and Annual Financial Statements
Annual Report Highlights 2001-2002	Summary of OPC Annual Report for clients and other interested parties
OPC Corporate Brochure	Reviewed and redesigned brochure on the role and services provided by the OPC.
Managing	Newsletter for Private Financial Managers
Connect	Newsletter for Service Providers
OPC News	Client Newsletter
Fact Sheet 12 – Banker Arrangements	Explanation of Banker arrangements undertaken by OPC for Community Services residents
Fact Sheet 13– Your rights as a Victim of Crime	Explanation of OPC clients' rights as victims of crime
Fact Sheet 14 – Review of Decisions - Administrative Decisions Tribunal	Explanation of clients rights for internal and external reviews of decisions
Koori Financial Management	Financial management services provided by OPC for Kooris
Client Feedback	Reviewed and redesigned brochure on providing service feedback to OPC

Note: The OPC internet site was updated on numerous occasions throughout the reporting period and new pages added.

(xviii) RISK MANAGEMENT AND INSURANCE

OPC insurance is provided by the Treasury Managed Fund which is managed by GIO General Ltd. The risks covered include Workers' Compensation, Motor Vehicle, Property, Liability and Miscellaneous insurance.

The Office has continued to concentrate on employee safety education, the detailed management of workers' compensation claims and, in particular, rehabilitation services. As a result, there is a greater staff awareness of the importance of safe work practices.

During the year a Business Continuity and Disaster Recovery Plan was prepared. The Plan determined the potential impact of various types of disasters on the Office's business activities and documents

the agreed procedures and processes necessary to minimise the disruption to services.

A risk identification and analysis focus group was established to examine the risks involved in dealing with clients who have challenging behaviour.

New procedures were implemented for staff meeting clients in OPC's main office. These procedures have been developed in accordance with the requirements of the OHS legislation and include appropriate training for staff and use of portable duress alarms.

Colour CCTV was installed at the Client Service Centre to monitor cash transactions and client behaviour. This initiative was recommended by the Police and early indications are that the number of incidents has fallen.

Workers' Compensation Insurance Claims 2002 - 2003

Year	No of employees	No of claims	Total cost of claims \$'000	Average Claims per employee	Average Cost per employee \$
2002-2003	252	2	7.3	0.008	30
2001-2002	237	10	49	0.04	207
2000-2001*	330	8	96	0.02	291

* These figures include the OPG workforce

Motor Vehicle Insurance Claims 2002 - 2003

Year	No of vehicles	No of claims	Total cost of claims \$'000	Average Claims per vehicle	Average Cost per vehicle \$
2002-2003	8	1	2	0.1	250
2001-2002	9	6	10	0.7	1,111
2000-2001*	20	8	8	0.4	400

* These figures include OPG vehicles

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(xix) SENIOR EXECUTIVE SERVICE POSITIONS

As at 30 June 2003, there were two Senior Executive Service positions within OPC.

- * Protective Commissioner & Public Guardian, SES Level 5 - held by Ken Gabb LIB, for the entire reporting period;
- * Deputy Protective Commissioner and Director, Client Services, SES Level 2 - held by Mark Orr BSc, BSc (Hons), Grad Dip Spec Ed, MHSM, AFCHSE, CHE, Registered Psychologist, for the entire reporting period.

(xx) STATEMENT OF PERFORMANCE

Protective Commissioner
Ken Gabb
SES Level 5
Total remuneration package as at 30 June 2003: \$183,378

In recent years OPC has placed considerable emphasis on improving its fraud and corruption prevention policies and procedures. That effort was recognised in two reports that were commissioned during the year under review.

In a report to Parliament in May 2003, the

Auditor General acknowledged the considerable improvement in OPC's fraud prevention since 2001. Overall, it rated OPC's fraud prevention as "Fair" and acknowledged that "if it implements our recommendations they will at least achieve an 'Effective' rating". Because of the period of time that had elapsed between the fieldwork for the Audit Office review and the presentation of its report to Parliament, OPC had, in fact, already implemented most of the Audit Office recommendations. These included the release of the formal "Fraud and Corruption Prevention Policy" that featured prominently in the Audit Office recommendations. OPC has also established an Audit Committee, as recommended by the Audit Office, to oversee implementation of audit recommendations. OPC's Executive formerly performed that role.

Another risk assessment review subsequently undertaken by the Attorney General's Department's internal auditor, Deloitte Touche Tohmatsu, concluded that OPC now rated "Effective" or "Very Effective" in 35 of the 36 categories reviewed. The remaining risk was rated "Partly Effective".

The Government this year recognised the valuable work undertaken by OPC on behalf of our community by providing public funding to OPC for the first time. In total, the Government provided slightly more than \$4.8 million during 2002-2003

to aid OPC in the performance of its role and to reduce costs to OPC clients. On behalf of all OPC clients, I congratulate and thank the Government for this very worthwhile initiative.

The Premier also commissioned the Independent Pricing and Regulatory Tribunal (IPART) to conduct a review of OPC's funding and fee structure. IPART's report will likely form the basis of a new OPC fee structure, that I hope will be introduced early in the coming year.

OPC continues to seek improvement in the services it provides and the efficiency with which it provides them. Estate management service standards were reviewed this year and changes made. Delegations were reviewed and amended. OPC also introduced key performance indicators (KPIs) to better measure our performance. These relate to the cost of providing services, the productivity of staff members and the cost of administration within OPC. Performance in 2001-2002 was established as a benchmark from which performance in 2002-2003 and subsequent years can be measured. We intend to introduce further KPIs in the year ahead. I have also had discussions with my counterparts in the other states and territories of Australia with a view to our developing national services standards and KPIs.

Improving our links with organisations that also provide services to OPC clients was

another priority during 2002-2003. OPC entered into a memorandum of understanding with Centrelink to provide a single point of contact for all Centrelink related activity. This new arrangement replaced previous arrangements under which a range of Centrelink offices needed to be contacted by OPC staff members. I anticipate this initiative will result in streamlined information exchange and improved notification and benefit review timeframes for OPC clients.

NSW Health has agreed, in principle, to provide professional advice to OPC concerning the health and capacity of protected persons discharged from hospital. The provision of this advice will reduce the need for OPC to arrange its own assessments, saving time and client money. OPC also signed a memorandum of understanding with the NSW Public Trustee's Office to better manage the flow of information between our two offices where the Public Trustee is acting on behalf of the estate of a deceased OPC client.

OPC's banker, Westpac, has agreed to assist OPC pay client utilities bills more efficiently by the electronic transfer of funds. This initiative, which is due to commence in early 2003-2004, has the potential to reduce the payment of bills by cheque, saving time and OPC resources.

One area in which OPC has been deficient has been the management of our

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(Statement of Performance Cont'd)

client's non-investment assets. We recognise we need to do better in protecting and maintaining the things that are important to our clients. To this end, we established this year a small Client Asset Management branch to better coordinate the recording, valuation and insurance of client assets. In the year ahead, we will also look at ways we can better help clients maintain and repair their assets.

(xxi) WASTE REDUCTION AND PURCHASING POLICY

OPC continues to encourage staff to improve efficiency in the use of energy. Some ways this is being achieved is by recycling all waste paper and cardboard, turning off lights when rooms are not in use, printing double sided whenever possible, turning off computer monitors during lunch breaks and not printing e-mails unless necessary.

Further savings are expected when increased use of document scanning is introduced in the document centres installed over the past few years. This will reduce the need for printing documents for faxing.

(xxii) WORKS IN PROGRESS

The total cost of works in progress in OPC at the end of the financial year was \$479,896.29.

This consisted of costs associated with software enhancements for the following:

Investment System	\$103,378.02
Client Information System	\$376,518.27

These projects were completed as at 30 June 2003. They will be transferred to capital and depreciated from 1 July 2003. The progress of these projects is in line with the anticipated timetable.