

How does the Public Guardian make decisions?

Key Considerations

When the Public Guardian makes a decision on behalf of a person under guardianship, the Public Guardian and delegated officers consider the following :

The Order

When appointed as guardian, the Public Guardian always receives a guardianship order outlining the specific authority given to make decisions on behalf of the person. The order also outlines how long the Public Guardian will be the guardian before the order is reviewed. The Public Guardian cannot make a decision in an area not included in the order. If the Public Guardian finds that there is a need for other areas of decision making to be included, it will request that the Guardianship Tribunal review the order and grant an extension of powers if appropriate.

The Principles

The Public Guardian makes decisions by considering and weighing the principles of the Act in light of a person's individual circumstances. The principles direct that decisions made give paramount consideration to the welfare and interest of the person, their view, protect them from abuse, neglect and exploitation while at the same time encourage the person to live as independently as possible within their community.

Views and opinions of others

Once the order and reasons have been received, staff from the Office of the Public Guardian gather information as to the current situation, the details of the decisions required and the opinions of the person under guardianship and other people involved. A guardianship plan is then developed to guide the actions of staff as well as to provide a transparent and accessible process.

Other factors that could influence the decision

There are always issues that arise that are specific to the situation and the relationships of the person under guardianship. The Public Guardian weighs these considerations individually.

Policies of the Public Guardian

The Public Guardian develops policies to provide staff of the office and other people involved in the decision making process, the general view of the Public Guardian in certain circumstances and the information required when making a decision or providing consent.

The policies draw on the expertise of a range of professionals external to the office and often concern very contentious or ethical issues.

Complaints

If you have a complaint to make about the actions or decisions of the Public Guardian, call or write to the Complaints Support Officer at the number or address listed below.

For further information contact:

**The Information & Support Branch of the Office of the Public Guardian
Locked Bag 5116 Parramatta NSW 2124**

Phone: 02 8688 2650 Freecall: 1800 451 510 Fax: 02 8688 9797
e-mail: informationsupport@opg.nsw.gov.au

The Guardianship Tribunal

Phone: 02 9556 7600 Freecall: 1800 463 928 Fax: 02 9555 9049