

YOUR RIGHTS TO REQUEST A REVIEW OF DECISION

Who is the Public Guardian?

The Office of the Public Guardian promotes the rights and interests of people with disabilities through the practice of guardianship, advocacy and education. The Guardianship Tribunal appoints the Public Guardian. The Office is part of the NSW Attorney General's Department. The Public Guardian is Mr Graeme Smith.

What does the Public Guardian do?

The Public Guardian makes health and welfare decisions for people who have a disability and who are unable to make their own decisions. The Public Guardian employs staff to help with this task. These people are called guardians.

What if I disagree with the Public Guardian's decision?

If you disagree with a decision, you can ask the guardian for the reasons for the decision in writing. The reasons will be sent to you within 21 days of your request. After receiving the reasons for the decision, you can request a review of the decision. This request must be made in writing and can be sent by mail or email to the Complaints Support Officer.

What happens when I request a review of a decision?

A review of decision is made by the Assistant Director Operations. The Assistant Director can change or confirm decisions made by guardians. The outcome of a review of decision and the reasons for the outcome will be sent to you within 21 days of your request for review.

What if I disagree with the outcome of the review of a decision?

If you disagree with the outcome you can ask the NSW Administrative Decisions Tribunal (ADT) to review the Public Guardian's decision. You need to make an application to the ADT within 28 days of receiving the Public Guardian's review of decision report. For more information contact the ADT on (02) 9223 4677.

What if I want to stop the Public Guardian implementing a decision?

You can ask the ADT to stop a decision from being implemented. This is called a "stay of decision". For more information contact the ADT.

What if I'm unhappy about the Office of the Public Guardian?

The Public Guardian's complaints process is different to the review process. You can make a complaint by writing or over the phone to the Complaint Support Officer. For information about complaints please refer to OPG fact sheet; "What if I'm unhappy about the Office of the Public Guardian?"

For more information you can contact the Complaints Support Officer:

Phone: (02) 8688 6060 or freecall 1800 451 510 or fax (02) 8688 9797

Email: informationsupport@opg.nsw.gov.au

Post: Office of the Public Guardian, Locked Bag 5116 Parramatta NSW 2124