

Implementation Update:

Preserving the financial futures of vulnerable Queenslanders: A review of Public Trustee fees, charges and practices, March 2025

This is the fourth annual Implementation Update concerning the 'Preserving the financial futures of vulnerable Queenslanders' report, which was prepared under the leadership of the previous Public Advocate, Mary Burgess, and tabled in Queensland Parliament on 10 March 2021.

In the four years since the tabling of this report, a number of changes have been made to the operations of the Queensland Public Trustee.

One signature development has been the establishment of the Public Trustee Advisory and Monitoring Board, which occurred following the enactment of the *Public Trustee (Advisory and Monitoring Board) Amendment Act 2022*. The Board, with which I have met twice, is well placed to monitor and advise the Queensland Government about the ongoing Queensland Public Trustee reform project that is underway, enabling my future monitoring of reforms to take a different approach than through annual updates. This will therefore be the final annual Implementation Update.

This year's Implementation Update is in a different format to the previous three updates. Rather than using a tabular format to respond to each of the 'Preserving the financial futures' report recommendations, I have asked the Public Trustee and the Government to provide a statement outlining reforms that have occurred in the wake of the 2021 report, and future reforms that are anticipated.

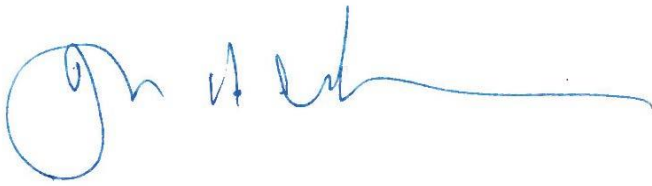
As you will see in the statements that follow, in addition to the establishment of the Public Trustee Advisory and Monitoring Board, other key changes have included: the completion of the comprehensive fees and charges review by consultancy firm PricewaterhouseCoopers; the development of a fees and charges 'ready reckoner'; the development of the Financial Independence Pathway program; and the creation of a customer advocate office. There have also been some changes to fee rebate calculations and the practice of charging for some financial advice.

From my perspective, as I have written previously, the core or spirit of the 'Preserving the financial futures' report concerns improving the fairness and transparency of the agency's fees and charges, particularly in relation to people for whom the Public Trustee is appointed as administrator (financial manager).

As part of the review process into the Public Trustee's fees and charges, my office has made considered suggestions – including within the last twelve months – as to how the

fees and charges regime might be made fairer, particularly for financial management clients who rely on pensions for their daily living, including those people who may have one significant non-cash asset (such as the house in which they reside). Capping the fees for such people, so they are not at risk of a forced sale of their house, would be an important fairness measure. My office's suggestions, which remain under consideration, would likely require greater government investment in the Public Trustee's operations.

I thank the Public Trustee and the Queensland Government for contributing to this fourth Implementation Update. There have certainly been some significant changes in the work of the Queensland Public Trustee in the wake of the 'Preserving the financial futures' report, with further changes still under consideration. I commend the Public Trustee and the Queensland Government for the changes that have occurred so far, and look forward to working further with them as the reform project continues.

A handwritten signature in blue ink, appearing to read 'John Chesterman', with a long horizontal flourish extending to the right.

John Chesterman
Public Advocate

Final update on implementation of reforms following the Public Advocate's report

Queensland Public Trustee (QPT) is driven by a strong motivation to advance customer and community outcomes, particularly for those experiencing vulnerability, in key life moments or when there is no one else. Since the commencement of its Customers First reforms in 2020, QPT has been dedicated to implementing significant customer orientated changes that benefit Queenslanders. The Public Advocate's 2021 report, *Preserving the Financial Futures of Vulnerable Queenslanders: A Review of the Public Trustee's Fees, Charges, and Practices* has helped to support these reforms by further ensuring that they are focused on enhancing customer and community outcomes. Through these efforts, QPT continues to work towards safeguarding the financial futures of vulnerable Queenslanders and fostering a culture of continuous improvement and customer empowerment.

The Public Advocate's report recognised that many of QPT's customers already receive a high standard of service at little or no cost, and in many ways affirmed the direction of QPT's existing reforms, while also providing guidance to prioritise improvements and refine our practices. Since the tabling of the report, which included 32 recommendations (23 for QPT and 10 for the Queensland Government, with one shared responsibility), QPT has undertaken transformative steps to advance its reforms. Relevantly, QPT has taken significant action on all 23 recommendations of the Public Advocate's 2021 report under its purview, including those related to fees and charges, community service obligations, investment practices and legal services. This statement provides an overview of the reforms driven by our Customers First Strategy and that meet the Public Advocate's recommendations.

A cornerstone of these reforms has been the review and revision of QPT's fees and charges. An independent and comprehensive review conducted in 2022 confirmed that QPT's fees were generally at or below the rates charged by other public trustees and private providers across Australia. The review also identified opportunities to make the fee structure more equitable, transparent, and easily understood. Following impact analysis of the review recommendations, additional reform proposals were developed and underwent consultation with customers and the broader community in 2024 provided valuable insights. Approximately 190 responses were received, demonstrating strong engagement from financial management and trust customers, advocacy organisations, and other stakeholders. Feedback from this consultation process continues to shape the development of a revised fee structure that reflects fairness, transparency, and accountability.

QPT had already implemented significant changes, including revising its fee rebate calculation methodology removing the family home from eligibility assessments for rebates. Fee freezes that recognise cost of living pressures have also been in place while the reform process progresses. Additionally, customers are no longer charged for expert financial advice that results in recommendations to invest exclusively in QPT products. These measures align with our recently published Fees and Charges Integrity and Governance Framework, and a broader strategy to ensure that QPT's services are both accessible and cost-effective, with reforms to deceased estate administration, trust administration, and financial management services continuing to progress, and complaints about fees and charges continuing to decrease.

In a commitment to transparency, accessible materials, including plain language guides and an online fees estimator, have been developed to provide customers with a clearer understanding of fees and charges. Our website has undergone significant upgrades to improve accessibility, with features such as appointment booking portals and multilingual content to ensure inclusiveness. These initiatives reflect our commitment to empowering customers through information, empowering them to make informed decisions.

A Structured Decision-Making Framework has been embedded into QPT's operations to further enhance customer participation. This framework considers customers' individual circumstances and ensures that their views, wishes and preferences are central to all decisions, wherever possible. Training in this framework is now a mandatory component of onboarding for new frontline staff, reinforcing the culture of customer-first decision-making across the agency.

In addition to reforms in transparency and fees, QPT has made significant advancements in its investment and legal practices. A new Customer Investment Strategy, aligned with industry best practices, has been implemented to ensure that investment decisions are guided by prudential care and the best interests of customers. QPT has confirmed that it does not exclusively invest in its own financial products, and it continues to refine its Prudent Person Manual, which is publicly available to demonstrate accountability in investment practices.

Legal reforms have also been prioritised, with a comprehensive review of the Official Solicitor's role resulting in a clear delineation between corporate and customer legal services. This restructuring ensures that customers receive specialised, value-driven legal advice tailored to their specific needs. Furthermore, QPT has joined key legal committees, introduced mandatory practicing certificates for permanently appointed lawyers, and implemented measures to enhance the accessibility and transparency of legal advice for customers.

Customer advocacy and engagement have been central to QPT's approach, with the establishment of a Customer Advocate Office and an independent complaint review mechanism marking a national first among state trustees. Since 2021, the Office of the Customer Advocate has been involved in 280 customer matters, helping to deliver fair outcomes for QPT customers and supporting customers who have exceptional circumstances. QPT also commissioned an independent review of its complaints management system in 2023 to ensure it aligns with best practice, including seeking feedback from people with disability to inform changes to its complaints processes and information. These initiatives have strengthened the agency's ability to address customer concerns effectively and transparently, ensuring continuous improvement in service delivery.

Additionally, the Financial Independence Pathway Program has been introduced to support customers in developing financial management skills, empowering them to achieve greater autonomy where possible. At the commencement of 2025, more than 180 customers were participating in the program to improve their financial literacy. QPT has also partnered with Queensland Advocacy for Inclusion (QAI) to help customers who want to apply to the Queensland Civil and Administrative Tribunal (QCAT) to have the order appointing QPT as financial administrator revoked. Since 2022, 149 customers have been referred to QAI and 28 of those customers have regained control of their finances.

QPT has also worked closely with the QCAT to ensure robust representation for customers during financial management hearings. By attending hearings and providing detailed information on fees, charges and service options, QPT has demonstrated a commitment to supporting QCAT's decision-making processes and advocating for the best outcomes for its customers.

Collaboration with the Queensland Government has been instrumental in advancing key recommendations from the Public Advocate's report. The Queensland Government's establishment of the Public Trustee Advisory and Monitoring Board has provided an additional layer of oversight and accountability.

As QPT continues to implement and build on these reforms and works closely with Government on implementation of other reforms, we remain committed to supporting the dignity, agency, rights and interests of Queenslanders, particularly those experiencing vulnerability, in key life moments or when there is no one else. This commitment extends beyond the recommendations of the Public Advocate's report, with a broader focus on fostering a culture of continuous improvement, collaboration and customer empowerment.

In 2022, QPT trialled centralisation of some high-volume tasks to enable regional trust officers more time to focus on more complex, customer-focused tasks. During the trial, approximately 75% of customer calls to the team were able to be resolved at first contact and this has led to an expanded Customer Support Team being permanently established in 2025 that will serve as the first point of contact for QPT's financial management customers.

A new ICT and Digital Strategy was rolled out in 2024 to ensure QPT can continue to make improvements and implement modern, innovative and human-centred business systems, solutions and processes. Significant changes to QPT's technologies are already underway.

QPT recognises the importance of engaging with stakeholders, regulatory bodies and advocacy organisations to ensure that our services remain responsive to the needs of its diverse customer base. This occurs through regular meetings of a Customer Representatives Reference Group established by QPT, and by maintaining an open dialogue with customers and their support networks, so that QPT can continue to identify opportunities for enhancement and address emerging challenges in a proactive and transparent manner.

These activities reflect the extensive action undertaken by QPT to implement the recommendations of the Public Advocate's report, achieving meaningful reforms that enhance transparency, equity and customer engagement. These initiatives represent a significant step forward in aligning the organisation's operations with the highest standards of fiduciary duty and public accountability. We remain committed to advancing these reforms, working collaboratively with the Queensland Government and other stakeholders to ensure that the dignity, agency, rights and interests of Queenslanders, especially those experiencing vulnerability, in key life moments or when there is no one else, are supported and advanced for generations to come.



Report on Public Trustee's fees, charges and practices: Queensland Government implementation update – March 2025

The Public Advocate's report was recently considered by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the DRC), with a number of DRC recommendations in the DRC's Final Report crossing over with recommendations made by the Public Advocate.

Implementing the DRC recommendations is a key priority for the Attorney General and Minister for Justice and Minister for Integrity, the Honourable Deb Frecklington MP, as outlined in the Ministerial Charter Letter from the Honourable David Crisafulli MP, Premier and Minister for Veterans, dated 8 November 2024.

Key recommendations in the Public Advocate's Report will be considered alongside the recommendations from the DRC Final Report.