

# Western Australian Auditor General's Report



## Management of Feedback from Public Trustee Represented Persons



Report 15: June 2016

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ISSN 2200-1913 (Print)  
ISSN 2200-1921 (Online)

**Management of Feedback from Public Trustee  
Represented Persons**



**THE PRESIDENT  
LEGISLATIVE COUNCIL**

**THE SPEAKER  
LEGISLATIVE ASSEMBLY**

### **MANAGEMENT OF FEEDBACK FROM PUBLIC TRUSTEE REPRESENTED PERSONS**

This report has been prepared for submission to Parliament under the provisions of section 25 of the *Auditor General Act 2006*.

Performance audits are an integral part of the overall audit program. They seek to provide Parliament with assessments of the effectiveness and efficiency of public sector programs and activities, and identify opportunities for improved performance.

This audit was undertaken at the request of Parliament's Public Accounts Committee (PAC) and looked at whether the Public Trustee (PT) is effectively collecting, managing and using customer feedback to improve services to represented persons.

My report reassures PAC and carers of at-risk members of our community that the PTs complaints management processes and client satisfaction surveys allow clients to provide feedback and assists the PT to improve the quality of its services. The report provides a recommendation that will improve the visibility of complaints managed by the PT.

I wish to acknowledge the Public Trustee, Ombudsman Western Australia and Department of the Attorney General staff for their cooperation with this audit.

A handwritten signature in black ink, appearing to read 'C. Murphy'.

COLIN MURPHY  
AUDITOR GENERAL  
30 June 2016

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# Overview

## Introduction

The objective of the audit was to determine if the Public Trustee (PT) is effectively collecting, managing and using customer feedback to improve services to represented persons. The audit looked at PTs complaints management processes and use of client satisfaction surveys.

The audit was undertaken at the request of Parliament's Public Accounts Committee and follows on from a previous audit of the PT conducted in 2013.<sup>1</sup> The committee's concerns related in particular to the nature of complaints, the complaints management process and its compliance with relevant policies, and the use of client satisfaction surveys.

## Background

The PT is a government body set up to provide community services in respect of trusts and estates.<sup>2</sup>

The State Administrative Tribunal (SAT) has the power to appoint the PT to manage the financial affairs of persons who are unable to manage their own affairs due to decision-making impairment.<sup>3</sup> This impairment may be the result of dementia, intellectual disability, mental illness, acquired brain injury or substance abuse. This category of PT clients is known as represented persons.

Represented persons make up approximately 26% of the PTs total clients. In the last 5 financial years, the PTs represented person clients have increased from 2,334 to 3,416 (or by 46%). The PT expects this client category to continue to grow.

The Department of the Attorney General (DotAG) provides administrative support to the PT and requires it to comply with DotAG policies and procedures. The PT shares some of DotAG's resources such as its complaints management system.

As part of its activities, the PT deals with client feedback it receives through complaints and client satisfaction surveys. The Public Sector Commission requires all government agencies to have a complaints management system that complies with the principles of the Australian/New Zealand Standard on complaints handling (Standard).<sup>4</sup>

## Audit conclusion

Overall, the PT is satisfactorily collecting, managing and using information from complaints and client satisfaction surveys to improve services to represented persons. The number of complaints the PT receives from represented persons is small. The complaints we reviewed showed that the PT provided the complainants with timely and informed explanations in its responses.

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<sup>1</sup> *Public Trustee: Administration of the Financial Affairs of Vulnerable People*, Report 14 September 2013

<sup>2</sup> *Public Trustee Act 1941*, section 1A

<sup>3</sup> *Guardianship and Administration Act 1990*, section 68(5)

<sup>4</sup> Public Sector Commissioner's Circular: 2009-27 Complaints Management (last reviewed 1 December 2014). This circular applies to any new editions of the Australian/New Zealand Standard on complaints handling.

## What we found

### Policies and procedures for managing complaints

The PT has complied with the Standard in establishing policies and procedures for managing complaints and these largely comply with the expectations of the Standard. The PTs policies and procedures provide:

- different ways for a client to communicate a complaint such as by email, letter or in person
- objective and fair treatment of each complainant
- timeframes for acknowledging and responding to a complaint.

### Recognition and transparency about complaints

The PT receives more complaints than it records and reports. This affects the PTs capacity to fully understand the effort needed to resolve complaints and the concerns of its clients.

In 2013-14 and 2014-15, the PT publicly reported that it received 90 complaints in relation to all categories of clients. We established that represented persons who make up 26% of clients accounted for 39 (43%) of the total. However, the reported number was understated. This is because complaints are not recorded and reported if:

- They are resolved within 48 hours of receipt. The PT draws a distinction between complaints resolved within 48 hours, which it labels as 'early resolution' matters and complaints that take longer to resolve. Early resolution matters are not treated as complaints and no record of them was retained. While this treatment may be surprising to some, it is consistent with the Standard.
- They are not made directly to the PT. Grievances about PT services made via alternative pathways such as to the Minister, other members of Parliament, the Ombudsman or the Office of the Public Advocate were not classified as complaints. In 2013-14 and 2014-15, 30 such complaints were made about services to represented persons.

In our view, grievances made via alternative pathways fall within the definition of a complaint. The Standard defines a complaint as an 'expression of dissatisfaction made to or about an organization, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required'.<sup>5</sup>

The Ombudsman provides guidance on complying with the Standard and has advised that it can provide advice that is more detailed regarding complaints received from alternative pathways, to ensure agencies comply with the Standard.

### Timeliness of responses and nature of complaints

Generally, the PT responds to complaints in a timely and informed manner.

The PT has established a target of dealing with complaints from represented persons within 10 business days. Our testing showed that when it did not achieve the target, satisfactory reasons existed. These included the complexity of the complaint or key staff on leave who

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<sup>5</sup> Australian/New Zealand Standard (AS/NZS 10002:2014) published on 29 October 2014, sec 4.2 p 6.

had detailed knowledge of the client's financial affairs. We also found response letters were supported by reasons.

The nature and complexity of complaints varies though the lack of recording of 'early resolution' matters meant that we were unable to obtain a complete picture. Staff of the PT advised us that these were mostly simple matters such as requests to increase allowances to represented persons. The PT also advised that access to staff is another area of complaint by represented persons and generally relates to when a client leaves multiple phone messages in a short space of time and may not get a quick response.

The PT has not undertaken an analysis of the nature and frequency of types of complaints that it does record. However, we were impressed by the fact that the Public Trustee and his senior staff reviewed every complaint that was recorded. The Public Trustee also personally signed written responses other than letters to be signed by the Minister.

Our review of a sample of the complaints showed that they can be quite complex and/or sensitive. For instance, fees for PT services and differences of opinion between family members over management of a represented person's financial affairs.

Our sample also showed that the responses to complainants were well considered. This was important as it helps build client confidence in the complaint management process.

## **Client satisfaction surveys**

We found the PTs annual client survey is sufficiently rigorous in design, data collection and analysis to provide useful information about client satisfaction with services. Effective use of client surveys provides an important source of feedback to improve services to the PTs clients including represented persons.

The PT undertakes an annual client satisfaction survey of a sample of all its client types using an independent service provider experienced in dealing with at-risk clients. One quarter (100) of the surveyed clients are represented persons which is comparable to the proportion of these clients serviced by the PT.

The PT uses the client survey as a key performance indicator (KPI) of client satisfaction with the PTs services as a whole. Seventy-nine percent of surveyed clients in 2014-15 reported that they were satisfied with the PTs services against a target of 85%.

However, the published KPI does not separate the satisfaction level of represented persons from that of other clients as this data is not statistically reliable. But the client satisfaction survey collects some detailed information from represented persons including verbatim comments. This is discussed below.

## **Service improvements resulting from customer feedback**

The PT uses feedback from complaints and the client satisfaction survey to improve services to represented persons.

We found that senior PT executives review all comments from the client survey, and all written complaints, regardless of pathway, to identify service improvements. Listed below are examples of service improvements, mostly as a result of feedback in client surveys:

- electronic facilities to allow same day payment of client invoices in emergencies
- an email system change to allow relieving PT staff to action messages on behalf of staff on leave
- an automatic email acknowledgement of represented person emails.



The PTs proactive consideration of customer feedback information demonstrates its commitment to continuous improvement in meeting the needs of represented persons.

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## Recommendation

1. **By 30 June 2017, the Public Trustee should revise policies and processes for complaint handling to record and report on all complaint pathways, other than those resolved within 48 hours.**

## Response from the Public Trustee

The Department of the Attorney General acknowledges that this audit has provided an opportunity for external review of the Public Trustee's management of feedback from Represented Persons.

The Public Trustee partly accepts the report's recommendation to the extent that it will, within the next 6 months, revise policies and procedures to record and report Ombudsman agency referrals (where the complaint has not been dealt with previously by the Public Trustee) as complaints.

The Public Trustee will further revise relevant policies and procedures to include Ministerial correspondence and Representations from Members of Parliament of a complaint nature, should the Ombudsman advise all Public Sector agencies with detailed advice that it is appropriate to do so, as the Public Trustee must comply with current Public Sector policy and Departmental protocols in this regard.

## What did we do?

The objective of the audit was to determine if the Public Trustee (PT) is effectively collecting, managing and using customer feedback to improve services to represented persons. The audit looked at PTs complaints management processes and use of client satisfaction surveys.

We reviewed the PTs complaints management processes and use of client satisfaction surveys in relation to represented persons receiving services from the PT as their State Administrative Tribunal appointed administrator. We did not review trust services provided by the PT for non-represented persons or services provided by private administrators on behalf of others.

We looked at customer feedback from represented persons for 2013-14 and 2014-15. However, we did not look at early resolution matters that the PT finalises within 48 hours as these do not need to be recorded. We also did not examine the systems used by the PT to record complaints or the validity of the responses to the complainants.

In conducting this audit we:

- examined the Public Sector Commissioner's Circular for complaint management including the Australian/New Zealand Standard (Standard)
- sought advice from the Ombudsman Western Australia about the application of the definition of a complaint as defined in the Standard
- reviewed the PTs complaint data and reports for 2013-14 and 2014-15
- examined the PTs client survey terms of reference, methodology and reports for 2013-14 and 2014-15
- spoke with relevant PT staff and the PTs client survey provider
- tested the PT and DotAG customer feedback policies and procedures against the requirements of the Standard
- tested a sample of 10 out of a total 69 complaints for 2013-14 and 2014-15, against the PTs policies and procedures. The sample provides indicative findings due to the small population of complaints. We also looked at response times for another 39 complaints.
- assessed whether any process improvements at the PT resulted from customer feedback from represented persons.

This was a narrow scope performance audit conducted under sections 18 and 20 of the *Auditor General Act 2006* and in accordance with Australian Auditing and Assurance Standards. Narrow scope performance audits have a tight focus and generally target agency compliance with legislation, public sector policies and accepted good practice. The cost of tabling the audit was around \$170,000.

## Auditor General's Reports

Report No.	Reports 2016	Date Tabled
14	Management of Marine Parks and Reserves	30 June 2016
13	Maintaining the State Road Network – Follow-on Audit	29 June 2016
12	Regulation of Builders and Building Surveyors	22 June 2016
11	Information Systems Audit Report	22 June 2016
10	Opinions on Ministerial Notification	8 June 2016
9	Payment of Construction Subcontractors – Perth Children's Hospital	8 June 2016
8	Delivering Services Online	25 May 2016
7	Fitting and Maintaining Safety Devices in Public Housing – Follow-up	11 May 2016
6	Audit of Payroll and other Expenditure using Data Analytic Procedures	10 May 2016
5	Audit Results Report – Annual 2015 Financial Audits – Universities and state training providers – Other audits completed since 1 November 2015; and Opinion on Ministerial Notification	10 May 2016
4	Land Asset Sales Program	6 April 2016
3	Management of Government Concessions	16 March 2016
2	Consumable Stock Management in Hospitals	24 February 2016
1	Supplementary report Health Department's Procurement and Management of its Centralised Computing Services Contract	8 June 2016 17 February 2016

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