

Three separate organisations

This fact sheet explains how three separate organisations work together for people with disabilities: NSW Civil and Administrative Tribunal (NCAT), NSW Trustee & Guardian and Public Guardian

NSW Civil and Administrative Tribunal (NCAT)

NCAT appoints guardians for people with disabilities aged 16 years and over who are incapable of making their own decisions and need a legally appointed substitute decision maker because no appropriate or safe informal arrangements are in place, or for some other reason.

If a guardian needs to be appointed, NCAT will consider appointing a family member or friend. If NCAT has decided no other person can be appointed, it will appoint the Public Guardian.

NCAT also appoints financial managers as substitute decision makers for people who are incapable of managing their own finances and need a legally appointed substitute decision maker because no appropriate or safe informal arrangements are in place.

If a financial manager needs to be appointed, NCAT will appoint a family member or friend (who will be subject to the directions of the NSW Trustee & Guardian) or the NSW Trustee & Guardian.

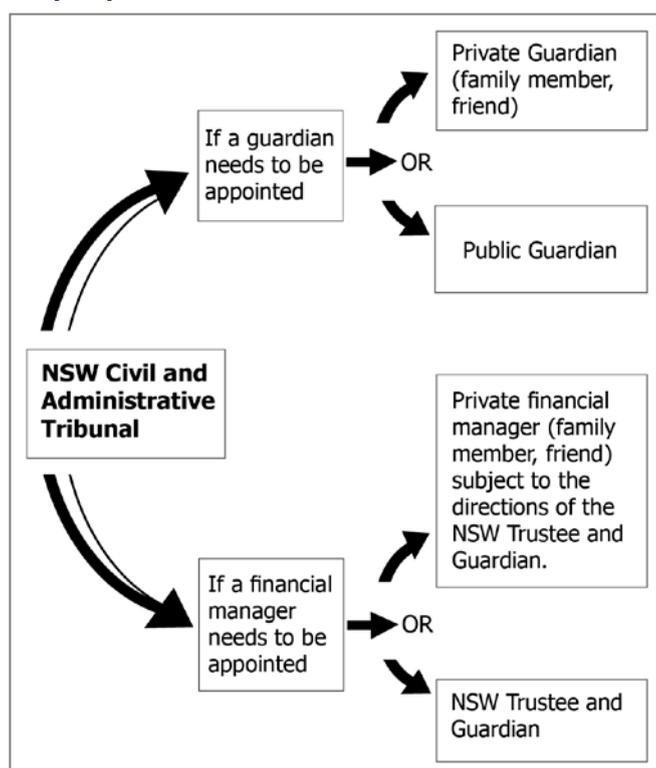
NCAT may consent to medical and dental treatments in certain circumstances for people who are unable to consent for themselves.

NSW Trustee & Guardian

When appointed as someone's financial manager, the NSW Trustee & Guardian can make decisions about their finances. Clients of the NSW Trustee & Guardian include people with a brain injury, intellectual disability, dementia or other disability which affects their decision making.

The NSW Trustee & Guardian relies in part on charging fees to provide services. These services include financial and asset management, and private manager support.

Three separate organisations working together for people with disabilities



Financial and asset management

A range of financial, legal, technical and disability advice services are provided. These include protecting assets and legal rights, making investments, managing a business, liaising with financial and legal institutions, facilitating the buying and selling of property and organising an adequate cash flow to pay bills.

Private Manager Support

Family members, friends, professionals and other individuals or trustee companies can be appointed as a private manager. Authorisation and direction is provided. Services include auditing accounts, preparing a plan of management, and providing financial managers with the necessary legal authority to manage the person's finances.



Public Guardian

When appointed as someone's guardian, the Public Guardian makes important health and lifestyle decisions on behalf of the person. These decision making areas may include accommodation, medical and dental, health care and services.

The Public Guardian is a substitute decision maker, not a substitute caregiver or case manager. A decision made by a legally appointed guardian should be treated as if it were a decision made by the person with the disability.

The Public Guardian will also advocate for the services and support needed by the person under guardianship.

The Public Guardian is the guardian for the length of time specified in the guardianship order. At the end of this time a review may be held by NCAT to decide whether a guardian is still needed.

Private Guardian Support Unit (PGSU)

The PGSU provides free and confidential information and support to people appointed as an enduring guardian or appointed as guardian by NCAT.

Complaints

NCAT, Public Guardian and NSW Trustee & Guardian are independent and separate organisations. They do not supervise each other.

Complaints about the Public Guardian should be directed to the Complaint Support Officer at the Public Guardian.

Complaints about the NSW Trustee & Guardian should be directed in writing to the Manager Quality Service and Client Relations at the NSW Trustee & Guardian. If you are requesting a review of a decision it is helpful to outline why you think the decision is not in their client's best interests.

Complaints about NCAT must be in writing and can be made by email, or online by using the feedback form or the form can be mailed or faxed direct to the Principal Registrar.

Contact NCAT

13 00 006 228 | www.ncat.nsw.gov.au

Interpreter Service (TIS) 13 14 50

National Relay Service for TTY users 13 36 77

For more information and assistance visit the NCAT website or contact NCAT's Guardianship Division on (02) 9556 7600 or 1300 006 228.

Contact NSW Trustee and Guardian

1300 109 290 | www.tag.nsw.gov.au

Fax (02) 8688 9783

Email tagmail@tag.nsw.gov.au

Contact Public Guardian

1300 076 694

www.tag.nsw.gov.au/public-guardian

Fax (02) 8688 9797

Email pg.engagement@opg.nsw.gov.au