XX March 2021

A message from the Public Trustee to its customers

The Public Trustee welcomes the Public Advocate's Report, tabled in Parliament today, which will support our transformation program and help us to make changes for the benefit of our customers and ensure that we continue to provide quality essential services to Queenslanders.

The Public Trustee has served Queenslanders for more than 104 years and we have always strived to provide services that are customer-centric, socially and financially responsible, and meet the need needs of our customers.

First and foremost, we apologise to our affected customers, staff and delivery partners that may not have received the level of service expected. It is clear that we need to be more transparent with our fees and charges, and better support our customers and staff.

The Acting Public Trustee and CEO, Samay Zhouand, welcomed the Report and thanked the Public Advocate for her efforts in completing the review and her engagement with the Public Trustee throughout the process.

"I want to express my thanks to Mary, the Public Advocate, for providing this Report and confirming the current direction of the Public Trustee," Mr Zhouand said.

"I openly and sincerely apologise to any customers who have not receive the level of service that the Public Trustee actively strives for in every interaction and will continue to drive improvements throughout the organisation to ensure that every customer is supported and empowered.

"We are undertaking an ambitious and industry-leading program of work to ensure that Queenslanders can continue to have confidence in the Public Trustee. Many of the Public Advocate's recommendations are being addressed through this work, and the Report will help us to continually improve.

"Since late 2019, we have been implementing our Customers First Agenda to ensure that our customers are the centre of all that we do. The changes that have already made in the way that the we deliver our services have been some of the most significant in the Public Trustee's modern history.

"Under our Customers First agenda, we have already shifted to ensuring that customers are always put first, and today I am pleased to be launching the next stage of this plan with the Customers First Strategy 2021-2026.

"This ambitious strategy takes the ethos of putting customers first and puts it into tangible actions and deliverables that we will commit to over the next five years.

"With the release of this strategy, we will implement a number of new reforms and programs that will help shape the future of the Trustee industry, such as the establishment of an Australian-first independent Customer Advocate office," Mr Zhouand said.

The Customer Advocate office is a nation-leading program within the Trustee sector which provides customers with a voice within the Public Trustee to advocate for customers and their support networks to discuss issues and facilitate complaints. Over time, this office will identify systemic issues to drive continuous improvement within the Public Trustee.

Programs such as this are one of the many initiatives underway at the Public Trustee to drive innovation, improvement and outcomes for Queenslanders.

"As we progress on our Customers First journey, we will continue to work with the Public Advocate and our Customer and Government Reference Groups on the findings from the Report. We welcome their honest, open and frank views on where and how we can all continue to improve service delivery for Queenslanders as a Guardianship system.

"We are growing, we are learning, and we are improving as an organisation and will constantly drive modern, customer-centric and quality services for Queenslanders," Mr Zhouand said.

Ends.

Media contact:

Eamonn Dwyer Media Manager – Public Trustee Sch4(3)(3)

media@pt.qld.gov.au

Issue raised in the Draft Report	Initial Public Trustee Response
The Public Trustee's fees are not reasonable for customers living more autonomously in the community which is contrary to the general principles of the <i>Guardianship and Administration Act 2000</i> . In particular there is a group that have modest assets and limited incomes that are not eligible for CSOs meaning that that PT fees and charges take up a significant proportion of their income, resulting in rapid depletion of their assets.	As a self-funding statutory authority, it is important that the Public Trustee's fees and charges are fair and reasonable, but also sustainable. In determining its fees and charges, the Public Trustee must consider the type and complexity of the service performed, and the degree of care, responsibility, and knowledge required to perform the service. It is acknowledged that current fee structure can be complex and difficult for our customers to understand. We also recognise that there may be unintended outcomes for some customers with the current fee structure. That is why the Public Trustee is undertaking an independent review of its fees and charges. Queensland Treasury Corporation is assisting with the extensive review and we are confident that a new fee structure that will be easier to understand will be introduced.
The Public Trustee misunderstands its fiduciary, statutory and professional duties.	The Public Trustee operates in complex environment which is governed by multiple pieces of state and federal legislation. However, we have the same fiduciary and statutory duties as any other professional administrator or attorney who offers a paid service. In addition, staff at the Public Trustee have additional duties over and beyond those of other professional administrators and attorneys. As Public Service employees the PT staff must comply with the Code of Conduct, the Information Privacy Act 2009, and Human Rights Act 2019. Further, the Public Trustee is an Accountable Officer for the purposes of the Financial Accountability Act 2009
The Public Advocate is of the view that there is not a clear relationship between the Public Trustee's fees and the relative	The Public Trustee acknowledges that the current fees and charges model can be complex.

cost of services. The Public Advocate also argues generally that the current fees and charges model is overly complex, lacks transparency, and has the potential for double charging for some clients or charging for no service.

The current fee structure was developed to try and make the fees as fair as possible for the different categories of customers as against 'one size fits all'. By trying to make the fees fairer, it is recognised that this has unfortunately created a level of complexity that is difficult for the community to understand.

The Public Trustee has taken steps to make it's fees and charges as clear as possible, including publishing them with case studies on the website and developing a fee ready reckoner to assist customers to understand the fees they may incur.

This will be considered as part of the independent fees and charges review, which is being undertaken with a view to ensure our fees and charges are sustainable, fair, efficient and cost-effective for our customers.

The Public Advocate believes that the burden of paying for CSOs is being borne by the Public Trustee's fee-paying clients (many of whom are FM clients).

In the 19 years since the introduction of the current fee structure, the value of the Public Trustee's CSOs has increased by 277 percent, while CPI increased by only 150 percent.

The report states that this level of growth cannot be supported in other government services and that there has not been any limitation or cap on this cost, as would be the usual approach to government funded-services.

The Public Trustee's Community Service Obligations (CSOs) are an important part of protecting the rights and dignity of some of Queensland's most vulnerable people, while also giving back to the community.

The Public Trustee provides CSOs to more than 82 per cent of its customers to assist with fees and charges, and in some cases legal fees and outlays. For example, fees are rebated for customers where the Public Trustee's fees and charges would be more than five per cent of the adult's assets.

The Public Trustee's CSOs have grown from a humble \$366 in 1916 to a record \$38.4 million in 2019–20 which has been funded by the agency without government appropriation.

The Public Trustee is sympathetic to the issues raised by the Public Advocate but remains of the view that its CSOs satisfy the Government's requirements, noting that the Public Trustee's budget is

subject to the annual State Budget process, and has been supported by the Government of the day.

CSOs will be considered as part of the independent fees and charges review to ensure our fees and charges are sustainable, fair, efficient and cost-effective for our customers.

It is the view of the Public Advocate that the Public Trustee's approach to investment of financial management customers' funds in the Common Fund is to benefit the operations of the agency but not necessarily benefit customers to the extent that it might. This refers to the interest differential.

The concept of the Common Fund is not unique to the Public Trustee, but a mechanism used by trustee companies generally to provide for efficient management.

The report also alleges the Public Trustee has potentially breached its fiduciary duty to not profit from its own clients and to avoid conflicts.

This is a model that has been in place since the Public Curator (as the Public Trustee was then known) was created by the Public Curator Act 1915. Ever since its inception the Public Trustee has met its expenses (including capital funds for buildings, etc.) from the margin between the earnings of the Common Fund and the interest paid to trusts and estates, and the fees received from its services.

The Report opines that it is contrary to the Prudent Person Rule and requirement to consider the individual's circumstances to use standard templates, such as the Client Investment Strategy and Primary Investment Strategy, for investing client funds in a very restricted range of investments held and managed by the Public Trustee.

The Public Trustee's investment approach is consistent with industry standards.

The Public Trustee's Primary Investment Strategy (PIS), which applies to customers with assets of between \$0.00 and \$450,000, is based on the bucket strategy pioneered by US financial planning expert Harold Evensky in 1985.

Bucket strategies are designed to balance the need for income stability and capital growth. The overarching goal is to ensure customers' financial security, while providing the flexibility to make lump sum withdrawals for expenses when needed. Bucket Strategies are still used by respected financial planning experts such PWC and Kaplan, and are supported by considerable academic research.

The Public Advocate raises concerns about the Public Trustee's interpretation of the Prudent Person Rule. The Report argues that the Prudent Person Rule Manual is inconsistent with the Prudent Person Rule and the Guardianship and Administration Act and has the effect that the Public Trustee is not actively exercising its responsibilities to make a decision about whether an investment, including a new investment, is prudent for a financial administration client.

The Public Trustee is committed to placing the customer at the centre of all that we do. This includes when making decisions that impact financial outcomes for customers. We have recently introduced structured decision-making to ensure the customer is more involved in the decisions that affect them.

The Report suggests that the Prudent Person Rule Manual and Financial Planning Manual are designed to meet the operational and financial objectives of the Public Trustee rather than to ensure all investment decisions made by the Public Trustee are in the interests of the individual financial administration client.

The Public Trustee's investment approach is to focus on wealth preservation rather than wealth accumulation. This is in recognition that that the majority of our customers have limited assets.

The Report questions the Public Trustee's approach to obtaining expert financial advice for customers. in particular, the Public Advocate questions the benefit that financial administration clients receive from obtaining external financial advice given the requirement to comply with the Public Trustee's policies and use of the Public Trustee's investment products.

The Public Trustee is undertaking a review of its Prudent Person Manual to ensure it reflects current requirements and aligns with prudent investment strategies.

The Public Advocate is concerned that Public Trustee exposes customers to legal fees without proper consideration of the costs and benefits of those actions and General Principles.

The Public Trustee completes over 90 per cent of customer annual financial reviews internally in the first instance. For customers with assets over \$450,000 expert financial advice is obtained. It has been the view of the Public Trustee that it is prudent to obtain financial advice for customers with large funds under management or complex matters.

The Public Trustee has recently completed a review of its Primary Investment Strategy to ensure it is current and reflective of best practice.

The Public Trustee has recently implemented a functional realignment to separate the Official Solicitor into the Official Solicitor Corporate Legal Services and Official Solicitor Customer Legal Services.

The separation of the legal services in this way minimises the risk of conflicts of interest, while ensuring the Customer Legal Services focus on the delivery of customer-centric legal services that ensure the customer is at the centre of all considerations.

The Public Trustee has implemented additional measures to ensure that customers are not exposed to unnecessary fees including: establishing a QCAT Referral Panel as an additional internal decision point to ensure only matters that will advance a customer's interests proceed to QCAT · empowering frontline staff to question legal invoices structured decision making. The Public Trustee also provides CSOs for vulnerable customers, which can include rebating Official Solicitor fees. As a self-funding agency, the Public Trustee must charge fees that are The Public Advocate also considers that it is a genuine matter for consideration whether the comparison of Official Solicitor fees with reasonable for the services provided having regard to the skills, "market-base" of private commercial legal firms is appropriate in experience and expertise required. terms of the fees charged to customers and the types of services provided to such customers. The Official Solicitor fees are benchmarked to ensure they are reasonable and competitive. The Official Solicitor fees are being considered as part of the independent fees and charges review, which is being undertaken with a view to ensure our fees and charges are sustainable, fair, efficient and cost-effective for our customers. A central argument of the Public Advocate is that the operations of The Public Trustee recognises the need to provide financially and the Public Trustee have been predominately driven by the need to ethically responsible leadership and governance to ensure that we can be a self-funding agency which may have resulted in adverse continue to meet our obligations our customers and the broader outcomes for customers. community. The Public Trustee is committed to being a being a trusted, transparent, consultative, customer and people focused organisation. This reflected in the objectives of the Strategic Plan 2020-24 which include: • Customers First - customer-centric, fair and equitable experiences • Leadership - engaged, empowered and customer-focused workforce

•	Integrity - socially responsible services that meet the needs of
	Queenslanders

- Financially responsible financially and ethically responsible leadership and governance
- Engagement engage meaningfully with the community to improve the quality of life of Queenslanders
- Care for community inclusive with our customers, their support network and our stakeholders.

The Public Advocate is of the review that there is no independent process or body that monitors, in a meaningful way, the operations of the Public Trustee.

The Public Trustee is committed to continuous improvement and providing essential services that meet the expectations of our customers and the community and meet the highest standards.

The Public Trustee is subject to considerable external oversight and scrutiny including:

- Parliament including Estimates Committees
- Department of the Premier and Cabinet
- Queensland Treasury
- State Budget Process
- Queensland Ombudsman
- Queensland Audit Office
- Crime and Corruption Commission
- Human Rights Commission
- Public Advocate
- Legal Services Commissioner (where a government lawyer is referred)
- The Courts and Tribunals when acting in both its corporate and representative capacities.

From: <u>DLO</u>
To: <u>Attorney</u>

Subject: Electronic version of brief 5439867: Public Advocate"s inquiries into Public Trustee"s fees and charges

Date: Monday, 30 November 2020 3:21:26 PM

Attachments: AGBN - Public Advocate"s inquiries into the Public Trustees fees and charges.docx

Attachment 1 - Draft recommendations.docx Attachment 2 - Issue raised in the Report.docx

Good afternoon,

Please find attached electronic version of brief and attachments provided to AG's office in hardcopy on 30/11/2020.

I note that this brief was internally generated and was not requested by the AG's office. Kind regards,

Amanda Robles

Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General

Ph: 07 3719 7418

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From: DLC

To: Michael Kely; Attorney

Subject: Electronic version of brief 5537425: AGBN - Public Advocate Report

 Date:
 Monday, 8 March 2021 2:57:53 PM

 Attachments:
 AGBN - Public Advocate Report.docx

Attachment 1 - Report.pdf

Attachment 2 - Media holding statement.docx

Good afternoon,

Please find attached electronic version of brief.

Hard copy will be delivered shortly.

Kind regards,

Amanda Robles

Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General

Ph: 07 3719 7418

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From: DLO

To: Alisha Radford
Cc: Attorney

Subject: Electronic version of brief 5583726: AGBN - Public Trustee of Queensland Financial Position - Update

Date: Monday, 19 April 2021 2:12:35 PM

Attachments: AGBN - Public Trustee of Queensland Financial Position - Update.docx

Hi Alisha,

Please see attached **brief for noting** for the AG's consideration. Hard copy will be delivered to your office shortly.

Kind regards,

Amanda Robles

Departmental Liaison Officer
Office of the Director-General
Department of Justice and Attorney-General

Ph: 07 3719 7418

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It is your responsibility to ensure that this email does not contain and is not affected by computer viruses, defects or interferences by third parties or replication problems.

Eamonn Dwyer From: Inga Williams To: Cc: Penni Pappas; Samay Zhouand Further details - media opportunities Subject: Date: Friday, 26 February 2021 3:32:30 PM **Attachments:** image005.pnq image006.png Hi Inga As discussed earlier today, below are some further details on the 4 media opportunities. Apologies, I don't have Michael's email so I have not copied him. s.73(2) N/A s.73(2)

s.73(2)			

I will finalise the MRs and get those through to you early next week.

Also, just a reminder to please get the DLO to flick me the AG's electronic signature so that we can get those input into the Customers First Strategy and Social Impact Report.

Cheers

E



1300 360 044 www.pt.qld.gov.au

Enhancing and protecting the rights, dignity and interests of Queenslanders by putting people at the centre of everything we do.

Eamonn Dwyer

A/Manager, Strategic Engagement and Community Education phone 07 3564 2817 | Sch4(3)(3) email eamonn.dwyer@pt.gld.gov.au

We provide Queenslanders with services in:

- Will-making · Enduring powers of attorney · Executor services
- · E state administration · Disability services · Trust administration
- · Real estate auctions & sales · Charitable trusts

RTI 220043 - File02 - Page 13

 From:
 Samay Zhouand

 To:
 Penni Pappas

Cc: Michael Kely; Laura FraserHardy
Subject: FW: ABC News request

Date: Thursday, 11 March 2021 5:42:20 PM

Hi Penni,

I hope the day has gone well.

Below is our proposed response to the ABC, with a no to a television interview. We'll send it off soon as it is due but feel free to call.

Warm regards

Samay Zhouand

From: PT Media

Sent: Thursday, 11 March 2021 3:18 PM

To: Samay Zhouand < Samay. Zhouand@pt.gld.gov.au>

Cc: Jacob Fredericks < <u>Jacob.Fredericks@pt.qld.gov.au</u>>; PT Media < <u>pt-media@pt.qld.gov.au</u>>

Subject: FW: ABC News request

Suggested responses to the questions below for approval.

Has the Public Trustee suspended fees & charges while the internal review is carried out? The Public Trustee's fees and charges apply for the services that we provide to customers while undertaking a fully comprehensive independent review of our fees and charges.

Is there a timeframe for that internal review – when might that conclude and will the results be made public?

It is important that the independent review of fees and charges is completed thoroughly and in consultation with customers, stakeholders and the sector. Due to this, it is anticipated that the review will take up to a year to be completed — this is critical in getting this right.

The results of the review will be made public and implemented throughout the organisation upon completion of the review.

In relation to the interview, this will be conducted at any stage appropriate for you tomorrow and will be a pre-record.

Let me know if this is something that you are comfortable with and I will liaise with ABC for you.

Happy to chat, as always.

Cheers

Ε

From: Emilie Gramenz < Gramenz. Emilie@abc.net.au >

Sent: Thursday, 11 March 2021 2:17 PM
To: PT Media < pt-media@pt.qld.gov.au>

Subject: ABC News request

Good afternoon,

My name is Emilie, I'm a reporter with the ABC in Brisbane.

I'm hoping to confirm a few details regarding comments from the AG Shannon Fentiman in a press conference this afternoon – that practices identified in the Public Advocate's report tabled in Parliament yesterday have ceased.

Has the Public Trustee suspended fees & charges while the internal review is carried out?

Is there a timeframe for that internal review – when might that conclude and will the results be made public?

We would also like to lodge a request for an on-camera interview with the Acting Public Trustee, Samay Zhouand – to detail the reform agenda and the changes underway at the moment.

Is Mr Zhouand available any time tomorrow?

My number is Sch4(3)(3) if you want to discuss.

Kind regards, Emilie

 From:
 Eamonn Dwyer

 To:
 Penni Pappas

 Cc:
 Samay Zhouand

Subject: FW: CM: ABC News request

Date: Thursday, 11 March 2021 5:55:46 PM

Hi Penni

FYI on a response we provided to the ABC.

Cheers

Е

From: PT Media

Sent: Thursday, 11 March 2021 5:55 PM

To: 'Emilie Gramenz' < Gramenz. Emilie@abc.net.au>

Cc: PT Media <pt-media@pt.qld.gov.au> **Subject:** RE: CM: ABC News request

Hi Emilie

Please see the responses to your questions in the email below.

In terms of an interview, I am still waiting to hear back from the CEO but will get back to you as soon as I hear anything. At the latest, this will be tomorrow morning — and, if it is, the interview will be mid-late afternoon.

Cheers

Eamonn

From: Emilie Gramenz < Gramenz. Emilie@abc.net.au >

Sent: Thursday, 11 March 2021 2:17 PM

To: PT Media < ot-media@ot.gld.gov.au >

Subject: CM: ABC News request

Good afternoon,

My name is Emilie, I'm a reporter with the ABC in Brisbane.

I'm hoping to confirm a few details regarding comments from the AG Shannon Fentiman in a press conference this afternoon – that practices identified in the Public Advocate's report tabled in Parliament yesterday have ceased.

Has the Public Trustee suspended fees & charges while the internal review is carried out? At present, the Public Trustee's fees and charges apply for the services that we provide to customers while we are undertaking a fully comprehensive independent review of our fees and charges.

Is there a timeframe for that internal review – when might that conclude and will the results be made public?

It is important that the independent review of fees and charges is completed thoroughly and in

consultation with customers, stakeholders and the sector. Due to this, it is anticipated that the review will take up to a year to be completed – this is critical in getting this right.

The results of the review will be made public and implemented upon completion of the review.

We would also like to lodge a request for an on-camera interview with the Acting Public Trustee, Samay Zhouand – to detail the reform agenda and the changes underway at the moment.

Is Mr Zhouand available any time tomorrow?

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My number is Sch4(3)(3) if you want to discuss.				
Kind regards, Emilie				

This correspondence is for the named person's use only. It may contain confidential or legally privileged information or both. No confidentiality or privilege is waived or lost by any mistransmission If you receive this correspondence in error, please immediately delete it from your system and notify the sender. You must not disclose copy or rely on any part of this correspondence if you are not the intended recipient. Any opinions expressed in this message are those of the individual sender, except where the sender expressly, and with authority, states them to be the opinions of the Public Trustee of Queensland.				

 From:
 Samay Zhouand

 To:
 Penni Pappas

Subject: FW: CM: ABC News request

Date: Thursday, 11 March 2021 6:51:44 PM

Hi Penni – see below. We can make it happen to the original time proposed by the AG.

Samay Zhouand

A/Public Trustee and CEO phone **07 3564 2788** email Samay.Zhouand@pt.qld.gov.au

From: Emilie Gramenz < Gramenz. Emilie@abc.net.au >

Sent: Thursday, 11 March 2021 2:17 PM

To: PT Media < pt-media@pt.qld.gov.au

Subject: CM: ABC News request

Good afternoon,

My name is Emilie, I'm a reporter with the ABC in Brisbane.

I'm hoping to confirm a few details regarding comments from the AG Shannon Fentiman in a press conference this afternoon – that practices identified in the Public Advocate's report tabled in Parliament yesterday have ceased.

Has the Public Trustee suspended fees & charges while the internal review is carried out? At present, the Public Trustee's fees and charges apply for the services that we provide to customers while we are undertaking a fully comprehensive independent review of our fees and charges.

Is there a timeframe for that internal review – when might that conclude and will the results be made public?

It is important that the independent review of fees and charges is completed thoroughly and in consultation with customers, stakeholders and the sector. Due to this, it is anticipated that the review will take approximately 6 to 8 months to be completed – this is critical in getting this right.

The results of the review will be made public and implemented upon completion of the review.

We would also like to lodge a request for an on-camera interview with the Acting Public Trustee, Samay Zhouand – to detail the reform agenda and the changes underway at the moment.

Is Mr Zhouand available any time tomorrow?

My number is Sch4(3)(3)	if you want to discuss.
Kind regards, Emilie	

From: Samay Zhouand
To: Penni Pappas

Cc: Michael Kely; Laura FraserHardy; David Mackie

Subject: FW: CM: Morning Bulletin - Public Trustee criticism comment

Date: Monday, 29 March 2021 4:20:54 PM

Dear Penni,

I hope you are well.

I have approved this response in reply to media enquiry as a result of the the Shadow Attorney-General's visit to Rockhampton today.

Please feel free to call me if you wanted to discuss the matter.

Warm regards

Samay

From: Eamonn Dwyer < Eamonn. Dwyer@pt.qld.gov.au>

Sent: Monday, 29 March 2021 3:43 PM

To: Samay Zhouand <Samay.Zhouand@pt.qld.gov.au>

Cc: Jacob Fredericks <Jacob.Fredericks@pt.qld.gov.au>; Callie Evans <Callie.Evans@pt.qld.gov.au>; PT Media <pt-media@pt.qld.gov.au> **Subject:** FW: CM: Morning Bulletin - Public Trustee criticism comment

Hi Samay

Updated response below as per our conversation.

Ε

The Public Trustee welcomed the Public Advocate's report which is an important part of review and improvement. Since 2019, the Public Trustee has been implementing our Customers First Agenda and relevant initiatives to drive better outcomes for our customers and for Queensland.

We actively engage on a regular basis with our Customer Reference Group and Government Reference Group to ensure that we have integrity in our decisions and that our actions are directly benefiting our customers. With key advocacy and peak body groups on these reference groups, such as Aged and Disability Advocates Australia and the Public Advocate, we value their input into our review and implementation of the Public Advocate's report.

We have welcomed the announcement to appoint a Public Trustee Board which will provide additional oversight and accountability mechanisms to the operations of the Public Trustee and are continuing to undertake a number of projects across the organisation to address the recommendations of the report.

The Public Trustee cannot comment on individual matters, however, if a customer or their

support network has concerns about the Public Trustee, they are encouraged to bring these to the Public Trustee so that they can be investigated and actioned accordingly, either with their regional office or by calling 1800 014 536.

We also have existing Customer Research Groups across Queensland which provide the opportunity for customers and support networks to voice their opinions to drive systemic improvements throughout the organisation. Customers are encouraged to get in touch with the Public Trustee to find out when the next session is being held in their area by calling 1300 360 044.

Mostly along the same lines but just addressing some more specific comments.

Let me know your thoughts.

Ε

From: Cox, Timothy < timothy.cox@news.com.au >

Sent: Monday, 29 March 2021 1:45 PM **To:** PT Media < pt-media@pt.qld.gov.au>

Subject: Re: CM: Morning Bulletin - Public Trustee criticism comment

Hi Eamonn,

Just adding to the above email, the Shadow Attorney-General was in town today and I wondered if you'd want to comment further about what he said.

He said he wanted a "wide-ranging review" of the Public Trustee, which is a "very secretive service". He went on:

"One of the big areas where we have seen a lot of complaints come from is from the Central Queensland, Rockhampton area.

"We've had people in today who have told stories about their mothers' property being taken off them and they haven't really been given a reason.

"People who have had orders made maybe 15 years ago when they were ill and still don't have control of their own finances.

"People on a pension who are having \$200 a fortnight being taken out of their pension by the Public Trustee and they just don't know what they're getting for that money."

Hoping to wrap this up in the next few hours.

Thanks,

Tim.

On Fri, 26 Mar 2021 at 16:58, PT Media <<u>ot-media@pt.qld.gov.au</u>> wrote:

Hi Tim

Please see a response from the Public Trustee below.

The Public Trustee has been on a transformational journey for more than a year, implementing our Customers First Agenda. We are continuing on our steady journey of change and improvement and the voices and opinions of our customers and their support networks are integral in informing this change.

In instances where customers may not be satisfied with the level of service that they have received, we have a number of mechanisms to ensure that they can voice their concerns or complaints.

If a customer wants to raise a complaint or request a review of their fees and charges, they are encouraged to bring these up with the Public Trustee to ensure that appropriate action can be taken, either by the Public Trustee or an independent review.

Customers and their support networks are encouraged to speak with their Trust Officer at the local Rockhampton Public Trustee Office to voice any concerns. If they cannot reach a resolution through this process, they can contact the Public Trustee's Public Advocate Report Complaints Line on 1800 014 536 (Monday to Friday 9am $-4 \,\mathrm{pm}$) and make a complaint or express their interest in having a review of their fees and charges.

If a customer has previously had a complaint considered by the Public Trustee, they can request it be referred to the newly established Customer Advocate Office for independent review through the complaints line.

Ends

If you have any further questions, please don't hesitate to reach out.

Cheers Eamonn

From: Cox, Timothy < timothy.cox@news.com.au >

Sent: Friday, 26 March 2021 1:23 PM
To: PT Media < ot-media@ot.gld.gov.au >

Subject: CM: Morning Bulletin - Public Trustee criticism comment

Hi,

I work at the Morning Bulletin in Rockhampton. I've been sent a release by the Shadow Attorney-General in regard to the Public Advocate's criticisms of and recommendations for the Trustee.

I wondered if you'd like to respond to some of the points made by Mary Burgess in her report - for instance, the claim the Trustee excessively charges some people - or to Tim Nicholl's claim that vulnerable Queenslanders are being "ripped off" (I'll attach the media release from him).

Thanks, Tim. TIMOTHY COX Journalist T -61 7 4980 0801 M Sch4(3)(3) E timothy cox@news.com as W NewsCorpAustralia.com Proudly supporting 1 deams. A News Corp Australia initiative. This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message or responsible for delivery of the message to the addressee, you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments and kindly notify the sender by reply and the sender by replace the sender by replacement of the send		
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 From:
 Eamonn Dwyer

 To:
 Penni Pappas

 Cc:
 Samay Zhouand

Subject: FW: CM: Morning Bulletin - Public Trustee criticism comment

Date: Friday, 26 March 2021 4:58:56 PM

Attachments: CM Morning Bulletin - Public Trustee criticism comment.msq

FYI on another media enquiry we received today. Full request from Tim is attached.

Cheers

Ε

From: PT Media

Sent: Friday, 26 March 2021 4:58 PM

To: 'Cox, Timothy' <timothy.cox@news.com.au>; PT Media <pt-media@pt.qld.gov.au>

Subject: RE: CM: Morning Bulletin - Public Trustee criticism comment

Hi Tim

Please see a response from the Public Trustee below.

The Public Trustee has been on a transformational journey for more than a year, implementing our Customers First Agenda. We are continuing on our steady journey of change and improvement and the voices and opinions of our customers and their support networks are integral in informing this change.

In instances where customers may not be satisfied with the level of service that they have received, we have a number of mechanisms to ensure that they can voice their concerns or complaints.

If a customer wants to raise a complaint or request a review of their fees and charges, they are encouraged to bring these up with the Public Trustee to ensure that appropriate action can be taken, either by the Public Trustee or an independent review.

Customers and their support networks are encouraged to speak with their Trust Officer at the local Rockhampton Public Trustee Office to voice any concerns. If they cannot reach a resolution through this process, they can contact the Public Trustee's Public Advocate Report Complaints Line on 1800 014 536 (Monday to Friday 9am $-4 \mathrm{pm}$) and make a complaint or express their interest in having a review of their fees and charges.

If a customer has previously had a complaint considered by the Public Trustee, they can request it be referred to the newly established Customer Advocate Office for independent review through the complaints line.

Ends

If you have any further questions, please don't hesitate to reach out.
Cheers Eamonn
From: Cox, Timothy <timothy.cox@news.com.au> Sent: Friday, 26 March 2021 1:23 PM To: PT Media <pt-media@pt.qld.gov.au> Subject: CM: Morning Bulletin - Public Trustee criticism comment</pt-media@pt.qld.gov.au></timothy.cox@news.com.au>
HI,
I work at the Morning Bulletin in Rockhampton. I've been sent a release by the Shadow Attorney- General in regard to the Public Advocate's criticisms of and recommendations for the Trustee.
I wondered if you'd like to respond to some of the points made by Mary Burgess in her <u>report</u> - for instance, the claim the Trustee excessively charges some people - or to Tim Nicholl's claim that vulnerable Queenslanders are being "ripped off" (I'll attach the media release from him).
I'm aiming to get this done by 5pm today.
Thanks, Tim.
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 From:
 PT Media

 To:
 Penni Pappas

 Cc:
 Samay Zhouand

Subject: FW: CM: Morning Bulletin - Public Trustee criticism comment

Date: Monday, 29 March 2021 4:23:59 PM

Hi Penni

FYI on a further response to Tim Cox from the Morning Bulletin in Rockhampton.

Cheers

Ε

From: PT Media <pt-media@pt.qld.gov.au> Sent: Monday, 29 March 2021 4:23 PM

To: Cox, Timothy <timothy.cox@news.com.au>; PT Media <pt-media@pt.qld.gov.au>

Subject: RE: CM: Morning Bulletin - Public Trustee criticism comment

Hi Tim

As promised, please see a response from the Public Trustee below:

The Public Trustee welcomed the Public Advocate's report which is an important part of review and improvement. Since 2019, the Public Trustee has been implementing our Customers First Agenda and relevant initiatives to drive better outcomes for our customers and for Queensland.

We actively engage on a regular basis with our Customer Reference Group and Government Reference Group to ensure that we have integrity in our decisions and that our actions are directly benefiting our customers. With key advocacy and peak body groups on these reference groups, such as Aged and Disability Advocates Australia and the Public Advocate, we value their input into our review and implementation of the Public Advocate's report.

We have welcomed the announcement to appoint a Public Trustee Board which will provide additional oversight and accountability mechanisms to the operations of the Public Trustee and are continuing to undertake a number of projects across the organisation to address the recommendations of the report.

The Public Trustee cannot comment on individual matters, however, if a customer or their support network has concerns about the Public Trustee, they are encouraged to bring these to the Public Trustee so that they can be investigated and actioned accordingly, either with their regional office or by calling 1800 014 536.

We also have existing Customer Research Groups across Queensland which provide the opportunity for customers and support networks to voice their opinions to drive systemic improvements throughout the organisation. Customers are encouraged to get in touch with the Public Trustee to find out when the next session is being held in their area by calling 1300 360 044.

Ends

If you need anything further from me, please don't hesitate to reach out.

Cheers Eamonn

From: Cox, Timothy < timothy.cox@news.com.au >

Sent: Monday, 29 March 2021 1:45 PM
To: PT Media < ot-media@pt.gld.gov.au >

Subject: Re: CM: Morning Bulletin - Public Trustee criticism comment

Hi Eamonn,

Just adding to the above email, the Shadow Attorney-General was in town today and I wondered if you'd want to comment further about what he said.

He said he wanted a "wide-ranging review" of the Public Trustee, which is a "very secretive service". He went on:

"One of the big areas where we have seen a lot of complaints come from is from the Central Queensland, Rockhampton area.

"We've had people in today who have told stories about their mothers' property being taken off them and they haven't really been given a reason.

"People who have had orders made maybe 15 years ago when they were ill and still don't have control of their own finances.

"People on a pension who are having \$200 a fortnight being taken out of their pension by the Public Trustee and they just don't know what they're getting for that money."

Hoping to wrap this up in the next few hours.

Thanks,

Tim.

On Fri, 26 Mar 2021 at 16:58, PT Media <<u>pt-media@pt.qld.gov.au</u>> wrote:

Hi Tim

Please see a response from the Public Trustee below.

The Public Trustee has been on a transformational journey for more than a year, implementing our Customers First Agenda. We are continuing on our steady journey of change and improvement and the voices and opinions of our customers and their support networks are integral in informing this change.

In instances where customers may not be satisfied with the level of service that they have received, we have a number of mechanisms to ensure that they can voice their concerns or complaints.

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Customers and their support networks are encouraged to speak with their Trust Officer at the local Rockhampton Public Trustee Office to voice any concerns. If they cannot reach a resolution through this process, they can contact the Public Trustee's Public Advocate Report Complaints Line on 1800 014 536 (Monday to Friday 9am – 4pm) and make a complaint or express their interest in having a review of their fees and charges.

If a customer has previously had a complaint considered by the Public Trustee, they can request it be referred to the newly established Customer Advocate Office for independent review through the complaints line.

Ends

If you have any further questions, please don't hesitate to reach out.

Cheers Eamonn

From: Cox, Timothy < timothy.cox@news.com.au >

Sent: Friday, 26 March 2021 1:23 PM **To:** PT Media < pt-media@pt.qld.gov.au

Subject: CM: Morning Bulletin - Public Trustee criticism comment

Hi,

I work at the Morning Bulletin in Rockhampton. I've been sent a release by the Shadow Attorney-General in regard to the Public Advocate's criticisms of and recommendations for the Trustee.

I wondered if you'd like to respond to some of the points made by Mary Burgess in her report - for instance, the claim the Trustee excessively charges some people - or to Tim Nicholl's claim that vulnerable Queenslanders are being "ripped off" (I'll attach the media release from him).

I'm aiming to get this done by 5pm today.

Thanks, Tim.

__

TIMOTHY COX

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 From:
 Samay Zhouand

 To:
 Penni Pappas

Cc: Michael Kely; Laura FraserHardy
Subject: FW: Courier Majl article

Date: Wednesday, 10 March 2021 2:04:42 PM

From: PT Media <<u>pt-media@pt.qld.gov.au</u>>
Sent: Wednesday, 10 March 2021 1:47 PM

To: Samay Zhouand <<u>Samay.Zhouand@pt.gld.gov.au</u>>; Jacob Fredericks

<<u>lacob.Fredericks@pt.qld.gov.au</u>> **Subject:** Courier Majl article

 $\label{lem:https://www.couriermail.com.au/news/queensland/public-trustee-probe-reveals-shocking-claims-of-client-treatment/news-story/9b5cb99cceb4839e9150592ee87fc946? \\ btr=0e37bcd1fe3d9cbcf1a983f1f37f09dd$

A/Manager, Strategic Engagement and Community Education

p: 07 3564 2817 m: Sch4(3)(3)

e: media@pt.qld.gov.au

From: Samay Zhouand
To: Michael Kely

Cc: <u>Laura FraserHardy</u>; <u>David Mackie</u>

Subject: FW: DRAFT - Pre PA report all staff email for approval

Date: Tuesday, 9 March 2021 12:20:35 PM

Dear Michael,

I hope you are well. For your information, we propose to send the below email to staff today. Please do not hesitate to call me if you or Laura wanted to discuss the matter.

Warm regards

<<salutation>>

The Public Trustee provides essential services to thousands of customers and plays a significant role in the community and in our system of public administration. An important part of our system of Government is oversight and scrutiny by Parliament, oversight bodies, and the public. As a forward looking and learning organisation, the Public Trustee welcomes such oversight and scrutiny as it helps it to continually improve and be the best that we can be for all Queenslanders.

You may be aware that the Public Advocate is a statutory role established to undertake systems advocacy to protect and promote the rights, autonomy and participation of people with impaired decision-making capacity — many of whom are our customers.

The Public Advocate has recently undertaken inquiries into the Public Trustee's fees, charges and practices.

The Public Advocate has finished her inquiries and has a prepared a report which is currently with the Attorney-General to be tabled in Parliament. The full report will be made available to staff once the Attorney-General has tabled it in Parliament and we will continue to provide you with relevant information.

As a transparent and learning organisation that is on a positive transformation journey, this report comes at an important time and will help the Public Trustee to explore how we, as an organisation, can continue to grow, learn and improve as a service to our customers.

I have seen firsthand that the vast majority of our staff across the Public Trustee undertake their roles every day enshrining the values of our Social Responsibility Charter. I appreciate the difficult work each of you perform, and the challenging environment and context in which it is undertaken.

I want to thank you all for your hard work, providing vital services to all Queenslanders. I look forward to continuing to work together as we strive to learn and improve as an organisation for the benefit of our customers and the community.

<<sign off>>

 From:
 Samay Zhouand

 To:
 Penni Pappas

Cc: Michael Kely: David Mackie: Laura FraserHardy

Subject: FW: Morning Bulletin - Public Trustee criticism comment

Date: Friday, 26 March 2021 1:48:38 PM

Attachments: 202 10325 Rocky locals urged to speak up on Public Trustee.doox

Hi Penni and Michael

We have received the below inquiry from Morning Bulletin in Rockhampton.

We'll draft a response and consult accordingly.

Warm regards

Samay Zhouand

From: Cox, Timothy <timothy.cox@news.com.au>

Sent: Friday, 26 March 2021 1:23 PM
To: PT Media < pt-media@pt.qld.gov.au>

Subject: Morning Bulletin - Public Trustee criticism comment

Hi.

I work at the Morning Bulletin in Rockhampton. I've been sent a release by the Shadow Attorney-General in regard to the Public Advocate's criticisms of and recommendations for the Trustee.

I wondered if you'd like to respond to some of the points made by Mary Burgess in her <u>report</u> - for instance, the claim the Trustee excessively charges some people - or to Tim Nicholl's claim that vulnerable Queenslanders are being "ripped off" (I'll attach the media release from him).

I'm aiming to get this done by 5pm today.

Thanks,

Tim.

57

TIMOTHY COX

Journalist

T+61 7 4980 0801 MSch4(3)(3)

E timothy.cox@news.com.au W NewsCorpAustralia.com

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 From:
 Samay Zhouand

 To:
 Penni Pappas

Cc: Michael Kely; David Mackie
Subject: FW: Q's from ABC

Date: Monday, 22 March 2021 12:19:53 PM

Dear Penni,

For your information, this is how we have responded.

Warm regards

Samay Zhouand

From: PT Media <pt-media@pt.qld.gov.au> Sent: Monday, 22 March 2021 9:25 AM

To: Jacob Fredericks < Jacob.Fredericks@pt.qld.gov.au>; Samay Zhouand < Samay.Zhouand@pt.qld.gov.au>; PT Media < pt-media@pt.qld.gov.au>

Subject: RE: Q's from ABC

Is the PT agitating for an urgent legislative review, given recommendation 11 in the Public Advocates report?

The Government has accepted recommendation 11 in principle. The Public Trustee will be pleased contribute to the legislative review.

As a first step, the Government has committed to establish a Public Trustee Board, which will have an advisory and monitoring function.

Why are you continuing to charge clients while the fees and charges review is underway? Should there not be a total moratorium while it is being assessed? The Public Advocate's Report does not recommend the Public Trustee stop charging all fees for our services to Queenslanders and as an administrator, we are legally able to recover costs incurred on behalf of the customer.

The Public Trustee has taken action to ensure our customers continue to receive high quality services and value for money whilst the independent fees and charges review is being conducted.

Does the fees and charges review include a review of the use of the official solicitor?

Yes, the fees of Official Solicitor will also be subject to the independent fees and charges review, which will be supported by the establishment of Legal Expert Transformation Panel.

The Official Solicitor function has been separated in to the Official Solicitor – Corporate Legal Services and Official Solicitor – Customer Legal Services. The separation of the legal services in this way minimises the risk of conflicts of interest, while ensuring the Customer Legal Services focus on the delivery of customer-centric legal services.

ha	ar	k.	S

Elloise

Samay Zhou and Penni Pappas: David Mackie: Michael Kely Fwd: Qs from ABC Friday, 19 March 2021 11:48:55 AM

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From: PT Media <pt-media@pt.qld.gov.au>

Sent: Friday, March 19, 2021 1116:35 AM

To: Jacob Fredericks < Jacob Fredericks@pt.qld.gov.au>; Samay Zhouand < Samay Zhouand@pt.qld.gov.au>; Elloise Waite < Elloise. Waite@pt.qld.gov.au>

Subject: FW: Q's from ABC

Please see below media enquiry for the Stephanie Zillman - ABC.

Let me know when you're free to chat,

Thanks,

From: Stephanie Zillman <Zillman.Stephanie@abc.net.au>
Sent: Friday, 19 March 2021 10:50 AM To: PT Media <pt-media@pt.qld.gov.au>
Subject: Q's from ABC

Hi there,

Some questions:

Is the PT agitating for an urgent legislative review, given recommendation 11 in the Public Advocates report?

Why are you continuing to charge clients while the fees and charges review is underway? Should there not be a total moratorium while it is being assessed?

Does the fees and charges review include a review of the use of the official solicitor?

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FYI Penni - I will call to discuss.

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From: Eamonn Dwyer <Eamonn Dwyer@pt.gld.gov.au> Sent: Thursday, March 11, 2021 1:52 pm

To: Samay Zhouand

Subject: RE: QRON Board Vacancy Advertisement Form

I have had the below pulled together. Let me know if this is on the path of what you were thinking

As I am sure you have seen, the Attorney-General has announced the establishment of a Public Trustee Board to advise and monitor the operations of the Public Trustee in response to Recommendation 30 of the Public

I welcome this opportunity to work with a Board to continue to drive improvements throughout the organisation.

The establishment of the Public Trustee Board will provide the opportunity to engage, learn, and, enhance our processes and procedures in line with our ethos as a learning organisation.

At this point in time, we do not have a great deal of information pertaining to the timeframe of appointment or membership of the board but I have been provided the below information which may be of interest to you.

If you are interested in joining a board, you can register your interest on the Queensland Register of Nominees website which Government uses to advertise Board positions and to fill vacancies on Boards. Expressions of interest enquiries related to the Public Trustee Board can also be sent directly to DIAG by emailing; significant appointments@justice.gld.gov.au

I look forward to sharing more information with you as it becomes available

Warm regards

Samay

From: Samay Zhouand <Samay.Zhouand@pt.qld.gov.au> Sent: Thursday, 11 March 2021 11:48 AM To: Eamonn Dwyer <Eamonn.Dwyer@pt.qld.gov.a Subject: FW: QRON Board Vacancy Advertisement Form

Can you write this up as a comunication to stakeholders and then I will look at it whether to approve.

- If the PT gets any queries about people who are interested in the Board that they can email the Sig Appointments email address...
 Risk that can create an expectation about the nature of appointees to the Board—but the level of detail still being worked through
- Register of Interest maintained by DJAG, which could then run a search for people who have registered on the QRON site generally for appointment to boards/committees targeting skills we need e.g. financial, governance, advisory etc AND run a targeted ad when the Board specifics are known.
- manage it like Judicial Appointments Register your interest maybe through our Significant Appointments mailbox and we keep a register (like Judicial EOIs).

significant appointments@justice.gld.gov.au

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 From:
 <u>Eam onn Dwyer</u>

 To:
 <u>Penni Pappas</u>

Cc: Sam av Zhouand: PT Media

Subject: Media Enquiry: Public Advocate report

Date: Weichesday, 10 March 2021 12:38:48 PM

Hi Penni

Just received an enquiry from Anthony Marx at the Courier.

We intend on providing Anthony with a link to our statement which is on our website: https://www.pt.qld.gov.au/about/news-room/a-message-from-the-public-trustee-to-its-customers/

Let me know if you have any questions or comments in relation to this.

Cheers

E

From: Marx, Anthony <anthony.marx@news.com.au>

Sent: Wednesday, 10 March 2021 12:29 PM **To:** PT Media <pt-media@pt.qld.gov.au>

Subject: Public Advocate report

Hi--

Will the PT be issuing a response to the Public Advocate's report tabled in Parliament this morning?

If so, please forward it to me ASAP today.

Thanks,

ANTHONY MARX

Business Reporter

Cnr Mayne Road & Campbell Street Bowen Hills QLD 4006 GPO Box 130, Brisbane, QLD 4001

T (07) 3666 - 6824

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From: Samay Zhouand

To: <u>Laura FraserHardy</u>; <u>Michael Kely</u>

Cc: Penni Pappas

Subject: Media response - All staff comms

Date: Friday, 19 February 2021 2:24:34 PM

Attachments: Staff OA Draft.docx

Hi Laura and Michael, I hope you are both well.

We would imagine that PT staff will get enquiries from customers and stakeholders upon the ABC report becoming public - and in turn they may need some information to support them to respond. Attached and below is what we have prepared so far for your consideration/feedback. We remain fully flexible with whatever may be the preferred/final approach, so please do not hesitate to let us know your thoughts or observations regarding this approach.

Warm regards

Samay Zhouand

<<salutation>>

An important part of our system of Government is oversight and scrutiny by the Parliament, oversight bodies, and the public. The feedback we receive helps us to continually improve and be the best that we can be for all Queenslanders.

As you may be aware, the Public Advocate has recently undertaken inquiries into the Public Trustee's fees, charges and practices.

The Public Advocate is a statutory role established to undertake systems advocacy to protect and promote the rights, autonomy and participation of people with impaired decision-making capacity — many of whom are our customers.

The Public Advocate has finished her inquiries and has a prepared a report which is currently with the Attorney-General to be tabled in Parliament. The full report will be made available to staff once the Attorney-General has tabled it in Parliament, however, we are starting to receive some media enquiries that align with the content of the Public Advocate's report. We are responding to these enquiries and want to keep you informed on the line of questions we are receiving and our responses, and we will continue to provide you with relevant information.

As a transparent and learning organisation that is on a positive transformation journey, this report is an important opportunity for us to receive feedback from our partners and to explore how we, as an organisation, can continue to grow, learn and improve as an organisation and a service to our customers.

I truly believe that through our Customers First journey, we are well on the way to becoming a top tier public sector agency that takes its responsibilities and duties seriously, that is ethical, professional and provides customer-centric services that provide security and peach of mind for Queenslanders.

I have seen firsthand that the vast majority of our staff across the Public Trustee undertake their roles everyday enshrining the values of our Social Responsibility Charter. I appreciate the difficult work each of you perform, and the challenging environment and context in which it is undertaken.

To support you with any enquiries that may come up based on media stories, we have created a quick reference on InSite (*insert link*). If you have any further questions or would like more information, please speak with your manager or send through an email to the COO (ChiefOperatingOfficer@pt.gld.gov.au).

I want to thank you all for your hard work, providing vital services to all Queenslanders. I look forward to continuing to work together as we strive to learn and improve as an organisation.