



PARLIAMENT OF TASMANIA

TRANSCRIPT

LEGISLATIVE COUNCIL

GOVERNMENT BUSINESSES SCRUTINY COMMITTEE B

The Public Trustee

Tuesday 25 November 2025

MEMBERS

Hon Rosemary Armitage MLC (Chair);

Hon Meg Webb MLC (Deputy Chair);

Hon Luke Edmunds MLC;

Hon Mike Gaffney MLC; and

Hon Casey Hiscutt MLC

WITNESSES IN ATTENDANCE

Hon. Eric Abetz MLC, Acting Attorney-General

Ministerial Office

Matt Hochman
Chief of Staff

Megan Hickey
Senior Adviser

Public Trustee

Therese Taylor
Chair

Todd Kennedy
CEO

Fiona McDougall
Director, People and Culture

Laurence Paine
Director, IT

Fiona Sullivan
Director, Client Services

PUBLIC

Public Trustee

The committee met at 11.15 a.m.

CHAIR (Ms Armitage) - Welcome everyone and thank you very much for appearing before the Legislative Council Scrutiny Committee on the Public Trustee. I will introduce the members of our team. We have Luke Edmunds, member for Pembroke; in a moment, I'm sure, Mike Gaffney, member for Mersey will be here; Rosemary Armitage, member for Launceston; Casey Hiscutt, member for Montgomery; and Meg Webb, member for Nelson. We also have secretariat support with James and Julie and we have Terry from Hansard. That is our team at the table.

Acting Attorney-General, I invite you to introduce your team and if either you or the chair would like to make a short opening statement before we ask questions.

Mr ABETZ - Thank you, Chair. I'm here in my capacity as acting Attorney-General. The Attorney-General, Guy Barnett sends his apology. He doubles as minister for Trade and he's currently pursuing trade opportunities for our state.

On my left is the Chair of the Public Trustee board, Therese Taylor. On my right is the CEO of the Public Trustee, Todd Kennedy.

What I can say, by way of an opening statement is that, in a previous life, when I was in public office, I had occasion, many a time, to have interactions with the Public Trustee, Guardianship board, et cetera. Since being in state politics, however, I have not received one call about it. I think that is indicative of the changes that have occurred in recent times under the guidance and leadership of both the chair and the CEO, and the cultural change that has permeated throughout the whole team. Their annual report speaks for itself, but we will open for questions - other than to congratulate the two representatives of the Public Trustee at the table for the wonderful work they have done and their team members.

CHAIR - Thank you very much. I might open the questioning. The annual report links workplace cultural reforms to an increase in staff satisfaction and retention, as well as a reduction in complaints received from clients. Can you go into a little more detail about what these cultural reforms entailed? Is the 91 per cent overall satisfaction rate from staff consistent with what you were expecting? Is this better or worse than previous years? Through you, acting Attorney-General.

Mr ABETZ - I don't think that could have expected much better. Todd?

CHAIR - And what the reforms entailed, thank you.

Mr KENNEDY - To answer the latter part of your question, we were really pleased with the result: 91 per cent exceeded what we thought the result might be. What's also pleasing is over 90 per cent of staff are proud to tell others that they work at the Public Trustee and recommend it as a place to work. There's been a significant amount of work over the three to four years from a cultural point of view. Ranging from, I guess, opening ourselves up and listening to our staff. The starting point was really to put in place a new client-centric approach in everything that we do. What we also recognise is how central your people are and having an

engaged workforce is because at the end of the day, they're the ones talking with our clients on a day-to-day basis.

Resourcing was one of the key things when it comes to supporting our people. Very early, and with the support of the Tasmanian government, we were able to bring caseloads down from as high as 150 to 50 per client account manager. That helped us prepare for the changes to the Guardianship and Administration legislation but, most importantly, gave our people the time to actually get to know the clients they're working with and build positive relationships and trust.

The other aspect that we've heavily invested in is training and development. Not just on formal policies and procedures, but also around skills to better support the people that we work with: techniques for de-escalating situations; and how to have a trauma-informed approach when working with people. We also have career paths in place, ranging from team leader roles up to senior positions within the organisation. We also recognise the nature of the work that our staff do and the impact that that can have on them from a psychosocial point of view, so we've introduced things such as professional supervision and employee assistance on site, which is there to really support our people on a day-to-day basis, and more importantly, build their capability and resilience over time.

CHAIR - Thank you very much. Mr Hiscutt.

Mr HISCUTT - Sure, happy to lead on from there. Continuing the theme of those numbers in the surveys, which are incredible to say the least: I wondered if there was a statement, and I couldn't see it anywhere, of what the actual total number of survey - it's obviously given in percentage terms - what was the total number of surveys received?

Mr KENNEDY - Yes, I can talk to that. We conduct annually an independent survey through Myriad Research and they conduct - we open up our entire client base to those reviews. They're done over the phone, or if a client requests a different approach that suits them, that can occur as well. The sample size was approximately 171, which means that the results were to a 95 per cent statistical confidence when it comes to the results and the feedback. It's a really good way - an arbitrary way to get the voice of our clients to inform us on what we're doing well as well as what we need to do better.

Mr HISCUTT - That's really good to know. I assumed, but had to ask that question to make sure it wasn't just a small sample size providing that, and that's good clarity in that.

With the complaints, obviously a 90 per cent reduction, also good: has there been any change in how complaints are processed or recorded that could account for any of that, or is it just there's no change in process there at all that may explain some of the drop in numbers? If you could talk to that.

Mr KENNEDY - No, there has been a significant amount of work that was done back in 2022. We had Deloitte come in and review our complaints process, and out of that we developed new policies, procedures and guidelines, and did training for our staff. There are really three key elements. The first one is that in as many cases as we can, that first-point resolution. Outside of that as well, and this is in line with one of the recommendations from the disability royal commission, we aligned our complaints process with international standards and we've also made that available on our website as well. A lot of work has gone into that, but

PUBLIC

I think what's really helped bring the number of complaints down has been our change in approach, aligning it with the new legislation, which is more of a will and preference and supported decision-making approach, as opposed to the previous paternalistic, substitute decision-making approach.

Mr HISCUTT - Beautiful. Thank you. I'm happy to move to others, or I can keep -

CHAIR - Mr Gaffney.

Mr GAFFNEY - I'm wondering which of the OTTER recommendations remain incomplete, and do you have a timeline for those recommendations to be tackled?

Mr KENNEDY - Since the OTTER report was handed down 18 months ago, we've done a considerable amount of work. As I sit here today, we've now completed 15 of the 18. One of the initiatives that we're focusing on over the next 12 to 18 months is updating our legacy IT systems. The final three recommendations are dependent on having that new system in place, which we will be very close to doing this time next year. The first item that's outstanding relates to improving the statements that we provide for our clients, making them easier to understand, and more transparent when it comes to fees; we do require a system change for that.

The other two really come back to having a new corporate accounting system so that we can better allocate our cost to serve. From a timeframe point of view, this time next year we will have a new system and then we will look to finalise those in the six months following it.

Mr GAFFNEY - Thank you. What does the Public Trustee say is its statutory basis for its ability to charge legal service fees?

Mr KENNEDY - When it comes to our fees, they're set in the regulations. When it comes to our legal fees, we follow an hourly rate and the maximum set by the Supreme Court. We just follow that.

Mr GAFFNEY - Okay.

Mr KENNEDY - They're the two acts that determine the fees that we charge - the maximums, I should say.

Mr GAFFNEY - Right, and these are specific questions, so I will continue. The Public Trustee is exempted from complying with the *Legal Profession Act 2007* via the carve-out in section 13(2)(1), which effectively allows staff at the Public Trustee to prepare a will or carrying out any other activities involving the administration of trusts, the estates of living or deceased persons; or the affairs of living persons without needing to hold an Australian Legal Practising Certificate.

Can the Public Trustee please, (a) list all legal services provided to the public, e.g. will preparation, preparation of enduring power of attorneys, discretionary trust amendments, estate administration, including the number of staff performing those services; and -

Ms WEBB - Maybe just get them to do that bit first?

Mr GAFFNEY - Yes, do you want to do that one, and then I will come to (b).

PUBLIC

Mr KENNEDY - When it comes to legal services, we prepare wills, and enduring powers of attorney for the public. We currently have a head count of four solicitors who provide that service and an FTE of around 3.5, and they're spread across Tasmania.

When it comes to services like estate administration, we have a bigger team and that's where we act as executor, or we might be finalising an estate when someone's passed away due to intestacy. The team that we have is nine in our estate administration.

Mr GAFFNEY - Okay, and the aspect of trust management involving legal decisions - legal advice to clients?

Mr KENNEDY - We actually outsource the majority of these services. We have an arrangement where we refer to a number of private firms in the south and north-west coast and in Launceston. The nature of the services that we will refer them to might be representing a client in a legal matter; it might be something to do with the *Testator's Family Maintenance Act*; and of course, for any corporate matters, we will refer that to the Office of the Crown and the Solicitor-General.

Conveyancy, as another example, that's outsourced to firms, and we have a couple of conveyancing businesses listed on our website as well. Really, we focus on our core, which is will preparation, managing trusts and estate administration, and we refer out the majority of those services.

Mr GAFFNEY - Okay. So, help me out here, at what stage do you think, 'Oh my gosh, we've been spending x amount of dollars outsourcing this, are we better off to have somebody within the team to be able to provide that service?' How is that calibrated, I suppose?

Mr KENNEDY - It'd probably be two years ago now, we had a look at our organisational structure and there's other things that we needed to consider as well around internal conflicts of interest that arise when you're perhaps wearing the hat of the Public Trustee but also representing clients. Then it comes down to how many solicitors do you need to have internally in your workforce for the volume of work. We made a decision to restructure at that point in time, and we see ourselves as a key partner in the Tasmanian community. We don't need to be the provider of all those solutions when the private sector can do that, so that's when we made that change.

Ms WEBB - Can I have a follow up on one of the answers from just before? You described the different areas you have people providing some form of legal services and mentioned the number of staff you have in those areas. Across the staff across those areas, what proportion of them, or how many of them have a Legal Practising Certificate? Or if they don't have one, what other specific qualifications are they required to have to do those legal-type services?

Mr KENNEDY - The solicitors that we have - at the moment we have four, we just have someone acting in a position, but the remaining three have their Practising Certificates and that's been the practice in the past. At the moment, we're just in an early recruitment transition, but that will be the practice as well for that person.

Ms WEBB - Then those other areas where you mentioned other numbers of staff undertaking roles where we could define it as legal services of some sort?

PUBLIC

Mr KENNEDY - There's no requirement for those staff who are administering and finalising the estate when they're acting as an executor. There's no requirement and none -

Ms WEBB - Are there other sorts of qualifications you require them to have in those areas?

Mr KENNEDY - Well, experience in estate administration is the number one criteria that we have, and we do have a number of experienced staff around the state. As far as recruitment goes, people don't have to have a Practising Certificate, but a legal background and a formal qualification by way of a degree is also desirable.

Ms WEBB - Then do you provide training internally to those people - if you recruit someone who doesn't already have the experience, do you then provide internal training to them?

Mr KENNEDY - Yes, we do. We have internal training and then we also tap into the external CPD training that's available outside the organisation.

Mr ABETZ - Can I just add, legal practices generally have conveyancing clerks and what are called paralegals assisting lawyers. I think with the Public Trustee people can have confidence they get the same sort of quality of service.

Ms WEBB - Thank you.

CHAIR - Thank you. If I could just ask you, the OTTER report identified significant data integrity concerns within the Public Trustee's client management system (CMS), including that the Public Trustee was not utilising the CMS timesheets or other methods to track time and effort spent against each of its services. How does the Public Trustee currently track and record time and effort spent on services, including legal services, to ensure accurate cost attribution to individual files and discrete service areas?

Mr KENNEDY - Thanks for the question. This is one of the remaining recommendations from -

CHAIR - Oh, it is one that's still going.

Mr KENNEDY - It is, and at the moment we operate on MYOB - just to give you some colour around the legacy systems - which makes it very difficult to actually do those calculations to a proper standard. As I said before, we've identified solutions that are available in the marketplace. We have a strategy in place to upgrade those systems over the next 12 months, which will enable us to do that. We do have existing tools within our CMS that tracks, for example, complexity when it comes to cases that we manage for represented persons, but it's insufficient for the needs of the organisation, which is why we're upgrading our systems.

CHAIR - So within the next 12 months this will be pretty much almost in place?

Mr KENNEDY - The timeframe for having new systems in place - noting that we're yet to go out to the market - is by the end of 2026. Then it's the period after that, once we have a new system, we will know how quickly we will be able to start to then gather data regarding that information.

PUBLIC

CHAIR - Thank you. One more question: are the legal files now segregated from the trustee files?

Mr KENNEDY - No, no longer are they segregated from the rest of the organisation. That was one of the recommendations from the independent review that was completed probably three years ago.

CHAIR - That's put in place. Thank you. Mr Gaffney.

Mr GAFFNEY - What quality assurance mechanisms and processes are in place for the supervision of the provision of legal services and reviews of associated costs?

Mr KENNEDY - In relation to the supervision, we have a senior person who has quite a bit of experience and has been at the Public Trustee. They're responsible for oversight and coaching. The recent example of a new person that's come into that role, there's that one-to-one coaching for, I think, it was the first maybe 12 appointments that they had supervision then for that person to start doing wills on their own, and there's that peer review of the work that's undertaken.

When it comes down to, I guess, allocating or calculating the cost that's involved, we don't have adequate systems in place, but when it comes to the wills that we're delivering, they're already at a very subsidised rate when you look at the cost to the public.

Mr GAFFNEY - Thank you. Has the Public Trustee now implemented separate legal file handling systems to ensure legal services are professionally and ethically managed?

Mr KENNEDY - That's the piece of work I was trying to explain before. Yes, that's now no longer segregated and it's recorded along with all our other client records on a central management system. There's no longer that isolation that was once there. There's full transparency and visibility across the business.

Mr GAFFNEY - Only two more questions. What are the Public Trustee's continuing professional development policies for employees providing legal services at the Public Trustee?

Mr KENNEDY - We have our internal training and continuing professional development program for our solicitors. In addition to that, we tap into external CPD. A recent example was the Wills and Estates Conference that was held in Hobart that all our people attended. It's a combination of internal and external CPD.

Mr GAFFNEY - Okay. The last question is how many complaints were received in the last reporting period?

Mr KENNEDY - In the last reporting period, the number of complaints pleasingly reduced considerably. It was a 90 per cent reduction in complaints over that period of time, which has been a theme now for three years. The actual number of complaints -

Ms TAYLOR - It was 10.

PUBLIC

Mr KENNEDY - Thank you, it was 10 complaints received and one substantiated. That's a significant reduction from 2022-23 where there were 49 complaints received and 20 substantiated. As far as how many of those were attributable to the legal services, I don't believe there are any, but I'd be happy to take that on notice.

Mr GAFFNEY - How were they resolved? I mean, you don't have to give me case by case, but how were they resolved, those?

Mr KENNEDY - The majority of complaints are resolved at first-point resolution. We also have a 10-day time period that we've set ourselves to respond to complaints or, in the event that it's going to take longer, communicate that to the person who's made the complaint. All the complaints for the last financial year were resolved within that period of time.

Mr GAFFNEY - Is there an appeals process in your complaint -

Mr KENNEDY - There is. So internally, if clients - they will initially go to - I guess we have an open door, no-wrong-door policy on how complaints come in, but if you're unhappy, it can then be reviewed by a senior person in the organisation. If you still feel like your complaint has not been resolved to your satisfaction, then the next stage is to refer that to the ombudsman.

Mr GAFFNEY - Thank you very much. Thank you, Chair.

CHAIR - Mr Hiscutt.

Mr HISCUTT - Yes, happy to move on. In relation to the small operating profit, which is pleasing, but the reasons given for that were the increased community service obligation funding. As I understand it - and this is probably potentially through the minister - that is a government injection which is scheduled to potentially no longer continue. What are the organisation's plans to address that potential shortfall that may be coming? What is the plan for that?

Mr KENNEDY - We have a community service obligation agreement with the government; that has been long standing and it's reviewed every period and then renewed. So there's no - it's not a short-term injection of funds. It's an agreement that's there to provide services to the community, where otherwise those services perhaps wouldn't be met by the private sector. The work that we do under guardianship administration is a really important example, which makes up 70 per cent of the work that we do when it comes to community service obligations. We currently have a fully-funded CSO agreement which is two years, which has enabled us to make the changes that I spoke about before. That's due, as per the normal process, to be reviewed, considered and then rolled over for a further period.

CHAIR - Mr Edmunds.

Mr EDMUNDS - I was going to ask, with the commentary about wills, what proactive steps you make to - the data is not great around how many people have wills from your report, what sort of front-foot measures you do, or what role you see for potentially others, or if you could talk through that, around building awareness and what measures you take.

Mr KENNEDY - In the broader community?

PUBLIC

Mr EDMUNDS - Yes.

Mr KENNEDY - That's a big part of a lot of the work we continue to do over the last three years. We do that work in conjunction with partners such as the Office of the Public Guardian, and Palliative Care Tasmania. Also the key things that we focus on are not just the importance of having a will. We do highlight what happens when someone passes away intestate, but we also talk about things such as having enduring power of attorney, enduring guardian and also advance care directives.

We take that team approach to raising awareness, and there are great opportunities throughout the year in, say, Law Week and Seniors Week where, along with the private sector and the broader community, we're out there doing public information sessions. We also have webinars on our website, noting that not everyone can attend, and we've got plans as well to expand the current work that we do, to try to access more of the areas around the state, such as the west coast or these other areas, the east coast, for example, St Helens, where we currently do not physically have an office presence.

Mr EDMUNDS - Do you have any kind of breakdown of the ages that people are dying without wills? One of the things - and I'm not saying anecdotally, but obviously younger people are less likely to have as many possessions and property these days as perhaps they would have 40 years ago. Are you finding that it's younger people, older people or is it pretty consistent? Are there any trends?

Mr KENNEDY - As far as the people coming in to have a will done?

Mr EDMUNDS - Yes, or who end up with you because they don't have a will.

Mr KENNEDY - Obviously, because of the ageing population, the largest cohort of people that pass away, it's age-related. The point that I think is really relevant to your comment is that everyone over the age of 18 needs a will. People often think that you need to have sizeable assets, but if you think of any young person who might be renting, you need someone with probate to then - what about getting your bond back, what would you like happen to your pets, for example; what about your social media accounts? There are so many things that need to be taken care of, so everyone over the age of 18 needs a will.

Mr EDMUNDS - Thank you.

Ms TAYLOR - If I could add to that: the board is very conscious of the fact that - that alarming statistic in Tasmania of 50 per cent of adults passing away without a will, and with our strategy sessions we're starting to put in place now strategies to bring that number down significantly and information sessions and making it easy to get a will is great, but we want to - we're looking at can it be a systemic solution to something like this. Is there a doorway you walk through when you become an adult? Is it education? Is it a whole range of things like that where you get a will kit? Those are the sorts of things that we will start to put some flesh on those bones next year.

CHAIR - A follow-up about wills. One of the things I hear in the community about the Public Trustee is that it costs a lot more; not so much upfront cost, but they take a lot more out of your estate. Can you explain if that the case? It seems to be a fear that you hear in the community. They say, 'Oh, it's going to cost me a lot of money to go on to a lawyer', so they

PUBLIC

don't necessarily have a will. You mention the Public Trustee and they say, 'Oh, no, they take such a large amount out of the estate'. What is the cost, or is it a higher percentage now? Has that dropped? Is it still fairly substantial? It is of concern to people.

I believe one of the reasons they probably don't get wills is they see a lawyer as too expensive, and they're concerned about what they will lose for their families with the Public Trustee. Through you, acting Attorney-General.

Mr KENNEDY - I've certainly heard that in my time at the Public Trustee and my previous employment as well. There is a misconception around fees. I hear things as high as 10 per cent, which is not correct. It's a tiered system that starts at 4.4 per cent for the first, say, \$200,000 then reduces. It really depends on the person's situation. The good thing about having a percentage model is you know what you're going to pay, because you can estimate what the size of your estate will be. For a lot of estates, it might not work out sufficient to cover the cost of being executor. Then there's also a size where it does cover the cost, but it does mean that from time to time, because it's a percentage, the actual cost involved might not match the work or the output.

We've had in place, for a period of time, where staff can actually reduce the fees that people pay for estates. One of the recommendations from the OTTER Report was to formalise that process and put that on the website so that the public knows. We did a policy and procedure and guideline in the last financial year and we launched it on 1 July. I know that we've already had three cases where beneficiaries have appealed on certain grounds to have their fees waived or reduced. Those three cases were all approved. On average, it was around \$6000 to \$7000 per person. So there's a framework in place if the fees don't match the effort. The longer-term view of the organisation is that we really want to simplify our fees, make it easier for people to understand and give everyone confidence that the fees are fair and appropriate and reasonable.

CHAIR - I believe you would get a lot more people coming in if they didn't have that perception.

Mr ABETZ - You guys also allow now for others to be the executor, so -

Mr KENNEDY - Yes, thank you, Treasurer, that's a really important point. One of the other misconceptions in the community is that when you come to the Public Trustee to have your will prepared, you must make the Public Trustee the executor, which is not the case, and it hasn't been the case for 10 years. You can choose whoever you would like to be the executor. So that's an important barrier to remove. Our annual report shows that last year of the wills that we did, in 75 per cent of cases, people chose a private executor. The most important thing is to get the documents in place.

CHAIR - So you just performed the legal aspect and have a separate executor in some cases?

Mr KENNEDY - That's right.

Ms TAYLOR - If the person chooses.

CHAIR - If the person chooses.

PUBLIC

Mr ABETZ - And if they wanted to, they could go to their private lawyer as well.

Mr KENNEDY - They can. Often, if they go to their private lawyer - this is something that is not understood - sometimes the private lawyer and the person will actually have the Public Trustee appointed as their executor. It's not always people who come to see us who are appointing us. They might go to their solicitor and not have a family person willing to take on the role, or they might want someone independent and an organisation like ours.

CHAIR - To follow up with that, for you, acting Attorney-General, how would that work then, if they go to their private lawyer for their will and appoint the Public Trustee - I'm thinking charge-wise. Normally, if you're performing as the legal agent or the lawyer, you're taking a percentage starting at your 4.4 per cent and working down as it's worth more. If you're just performing the executor role, how do you work out the percentage of your charging? Obviously, you're not going to charge the same if you're not doing the legal work, you're doing something different - or is it still 4.4 per cent?

Mr KENNEDY - In that particular case, whether the Public Trustee writes the will or whether a private solicitor writes the will, if they have nominated as their executor the Public Trustee, at that future point in time that they pass away and the time comes to take on the role of the executor, our standard fees and charges apply, which is published on our website.

CHAIR - So, you can do the lot?

Mr KENNEDY - We do, yes.

Mr HISCUTT - I had a follow-up regarding your outreach and education pieces. It's in the community education on page 16, and you mentioned in future you're looking to broaden out to more areas. In particular, I was going to talk about the north-west coast to see if you had done any - it seems as though you haven't done anything there yet, but planning to - that's a commitment we can confirm?

Mr KENNEDY - Each year we do four information sessions on the north-west coast: two in Burnie and two in Devonport. What I was referring to before is obviously the north-west coast is a far bigger area than there, and we used to have a presence in Burnie. We want to actually go out to broader areas and provide not just information services, but access to make it easier for people if they would like to write a will. We need to plan for that, get our resourcing in place, but that's certainly part of our strategic plan.

Mr HISCUTT - How do you advertise and promote those information sessions that you're talking about? Is that through traditional social media and bits and pieces like that?

Mr KENNEDY - Yes, social media. We might sometimes do something on radio as well or in *The Advocate* on the north-west coast. We have things available on our website and also reach out to our stakeholder reference group to spread the word, and publications as well, so Seniors Week, for example. Council on the Ageing does a really good publication, so it will be in there as far as a list of events.

Mr HISCUTT - Do you collect numbers for those attendances at those sessions?

PUBLIC

Mr KENNEDY - Yes, we have. This year was excellent numbers. In the last couple of years we had seen a decline, particularly in Burnie, but we took a different approach this year to your point - more targeted advertising on Facebook. All of a sudden we had that increase in number. That really gave us the confidence that the need is there. We just needed to be a bit more contemporary with the way we're getting the message out there.

Mr HISCUTT - That's good to know. Thank you.

Mr GAFFNEY - My question is about staffing numbers and movement, acknowledging you do outsource some of your work, which is fine. What are your FTEs for this year in comparison to last year?

Mr KENNEDY - Our head count this year was 85, FTE was 77. If I go back two financial years, the FTE was sitting around 58. Those additional resources have really gone into the frontline, bringing caseloads down for our client account managers in the work we do supporting represented persons.

Mr GAFFNEY - Okay, and gender balance?

Mr KENNEDY - Eighty-one per cent of our staff are female, and we have similar representation - sorry, not similar, but we have more of a fifty-fifty representation when it comes to our senior leadership group. The board is, I think, two females and three males at this point. If you go down another layer to team leaders, then predominantly female.

Mr GAFFNEY - Okay. Are there any vacancies at the moment?

Mr KENNEDY - No vacancies from a team leader perspective. We have a couple of roles that we're advertising for at the moment - the manager of our investments and tax - and we have some roles, I think, on a 12-month contract for client account managers.

Mr GAFFNEY - If you do advertise for a position, do many people apply? Is it like hen's teeth or do you get quite a number? Are they mainly local or from the mainland as well?

Mr KENNEDY - Both. We have a mixture of people looking to locate Tasmania or return home, as well as local people applying.

I'd say we always get good quantity. What varies from time to time or period to period is the depth and the quality of the applicants. We've recruited some amazing people over the last three years. We've been very fortunate in that regard.

Mr GAFFNEY - And professional development for the people in the house. How do you work that?

Mr KENNEDY - We have an extensive induction program. We continue to get positive feedback in relation to that. It involves initial training workshops, but then one-on-one support. Once that person's actually in their role, they have a team leader who has a small team that they're responsible for as well.

Outside of that, we have formal training. I talked about some of the topics that we have before. It's quite extensive; very broad - which we've listed in our annual report. We also

PUBLIC

acknowledge the importance of supporting our staff from a health and wellbeing and psychosocial perspective as well.

Mr GAFFNEY - Numbers of staff who work from home - what's the ratio there?

Mr KENNEDY - We don't have a large number who work from home, but we do have, I think it's 33 flexible workplace arrangements in place now, which is a significant improvement from maybe - sorry, it's 33 per cent. I'll check that figure.

Ms WEBB - It's 31, I think.

Mr KENNEDY - Oh, thanks, Meg.

Ms WEBB - I had a question lined up ready on that.

Mr KENNEDY - That relates more to, I guess, compressed hours; looking at a four-day week or a nine-day fortnight; starting or finishing early, so you can pick up your kids from school. Working from home, we do have a small number of staff, but they tend to be in non-client-facing roles because, whilst we recognise that change is happening around us in organisations, from a client-centric point of view, we want to be accessible for our clients. It's really important that when our doors are open, if a client presents, they can actually talk to their client account manager.

Ms TAYLOR - Can I add to that question, Mike? In terms of the confidence in recruiting the skill sets that we require. As you can see from this year's survey, 91 per cent of the staff had overall staff satisfaction working at Public Trustee. The other statistics that, I think, are now very heartening for the board are that 95 per cent agree that they're proud to tell others they work at the Public Trustee and also 92 per cent would recommend the Public Trustee to their friends and family as a place to work. Those sorts of indicators are extremely helpful in a tight employment market to attract the right sorts of skills.

Mr GAFFNEY - That's very impressive. I'm also wondering, what sort of presence do you have at something like UTAS or our year 11 and 12s, to get the word out about the Public Trustee and what it does and the role it plays? It's getting better known than it was, but do you have a presence with those?

Mr KENNEDY - I think that's an area we could certainly improve in. We've had a big focus the last three or four years on implementing reforms, but with where our culture is at now and those results that our chair spoke to, it's a really good time to get that message out there. We can do a lot more in the space as far as tapping into, say, UTAS as far as graduates and people looking for that first step.

Mr GAFFNEY - Yes, that would be wise, even if it's just public speaking to their students there from what the Public Trustee does, so that people are more aware. Thank you. That's all my questions now

Ms TAYLOR - If I could add to that as well. In terms of the organisational restructure that's occurred over the last three years - and we're now starting to see, as you can see, some of the results from that - in terms of communicating what the Public Trustee does to the market

PUBLIC

and more broadly to the community, I think it's good timing now because we have a positive story to tell.

Mr GAFFNEY - Yes, definitely. Thank you.

Ms ARMITAGE - Ms Webb.

Ms WEBB - Thank you. That covered a couple of the things I wanted to touch on. To follow up, you mentioned about expanding the leadership group in order to increase representation and inclusion, which sounds really positive. Can you describe what you mean by that? Did you create new roles or bring new people into that group in the current roles they had?

Mr KENNEDY - Both. We have our senior leadership group, but it was really important to get improved communication and, as you said before, get a broader voice and diversity coming through. There's an additional 15 staff who are part of the broader leadership group, ranging from team leaders or even just keep people in the organisation who have influence over the culture. We have a monthly meeting where that group gets together.

Outside of that, we introduced team leaders for our client account managers who support people through guardianship administration. Before, we had a really flat structure where there were all these client account managers and one manager; the manager was just really doing operational matters. The team leader is there to help coach, observe, they're there for calls and to help people to make sure that they get the support when they need it.

We've also invested in training and development when it comes to leadership skills. We recognise that three years ago with all the new staff that we brought in we had to build capability and also invest in their growth.

Ms WEBB - Thank you. The other thing I wanted to follow up on was mentioned earlier that you introduced professional supervision as part of the support to staff, which of course is distinct from line management. Is the professional supervision something that you get in from an external provider rather than provide in-house?

Mr KENNEDY - Yes, it is. We engaged Positive Solutions, the Tasmanian organisation, to deliver professional supervision, often called clinical supervision as well. They are also the same provider that does our employee assistance program on-site. We've had that in place now for two years. We make that available for all employees. It is optional, though, and that was at the suggestion of the provider given the nature of the work that staff do. Last year we had around 24 staff participating in professional supervision. At the moment that's sitting around 17. Again, some staff have a break for a while and then they come back to it, but it's available for everyone.

Ms WEBB - Is the frequency of that professional supervision defined, or do they individually decide what frequency they might engage with?

Mr KENNEDY - I believe that that's something that they agree on between the support person and themselves, but monthly is probably the standard as far as the frequency of when people meet. I do believe it's set between the organisation and the person. We provide support for that to happen obviously during work time and on the work premises.

PUBLIC

Ms WEBB - It's great that you provide that. I wish we had professional supervision in the political space, quite frankly. Having it dropped back to 17 staff members, that's less than a quarter, I think, of your workforce. Is it something you've got an aspiration to try to embed more firmly across your staff team so that it's utilised at a higher rate than that?

Mr KENNEDY - I think so. It's such a valuable resource for people to tap into. It was a new service that was introduced. A lot of people, including me, weren't familiar with professional supervision prior to coming into this role. It is something we'd like to build because I think it's important regarding resilience, longevity in the workplace. Some of the reduction in numbers though has occurred through staff who have actually moved on to different roles within government or outside of the Public Trustee. Yes, we would like to see that number improve.

Ms WEBB - Thank you.

Mr HISCUTT - Thank you, a follow-up. I was going to ask about consultancies, as well, and noticed Positive Solutions there for their EAP service not noted there for the professional. Is that just that the contract was less than the reportable amount, or would that be somewhere else?

Ms TAYLOR - Yes.

Mr HISCUTT - Yes, thank you.

Mr HISCUTT - I presume that the consultancies are done through some form of tender process to evaluate value for money?

Mr KENNEDY - Not automatically. For example, with our EAP provider, we look at the panel. The government has done a lot of that work for us, our staff at the Public Trustee, our state servants, so we can tap into the work that's been done. We actually changed our EAP provider to a Tasmanian provider and we're able to rely on that reset that was done.

Mr HISCUTT - Thank you for that. I have other questions, but -

CHAIR - That's probably along the same lines as we've been going at the moment. On page 25 of the annual report it states:

The people and culture team redesigned the performance development planning process to focus not just on measurable outcomes, but also to incorporate commitment behaviours that reflect the organisation's values.

Can you provide more information about the commitment behaviours? Are employees required to sign or make pledges in this regard? I will go that one first.

Mr KENNEDY - Yes. We have a process whereby we will set objectives at the start of the year and meet with our people. That will have a range of key performance indicators which are not just about financial or - it could be about how they go about performing their role or certain projects they're involved with. It's about, as well, how they display the values of the organisation.

PUBLIC

We also have a section around professional development, career aspirations for that person. Then, on a six-monthly basis, that's formally reviewed. Across the organisation we have a culture of monthly one-on-ones with staff and that's an opportunity to continually refer back to what's been agreed to as opposed to a set-and-forget approach.

CHAIR - What input did the employees have when the commitment behaviours were determined? They actually had input when it was being determined?

Mr KENNEDY - The values of the organisation - service, respect, integrity - haven't changed. The feedback - we also conduct staff surveys on a regular basis and outside of the annual staff engagement survey, we've had the whole-of-State-Service survey, which is quite extensive. We've done pulse checks. We're continually seeking feedback from our staff about their views, what they would like to see change. They're engaged from a point of view because it's critical to have their voice. But we haven't changed our values because we feel that they're fit for purpose as far as us as an organisation and the work we do in the Tasmanian community.

CHAIR - Thank you. Last one on that area. What happens if someone's found to have not complied with a commitment behaviour? Is there a disciplinary matter that they're called up before? Do they have a meeting? What would you do? How does that proceed?

Mr KENNEDY - All our employees are part of the State Service. The standard you walk past is the standard that you accept. You always raise it at the time. Then there's the opportunity in those one-on-ones with staff for things that become formal. Then there's a more formal employment directive within the government structure around managing someone's performance. Part of the training that we've done over the year for our people leaders is to also assist them on performance management because whilst it has a negative connotation, it's also about performance improvement.

CHAIR - We've spoken about the employee assistance program. Aside from providing access to the employee assistance program, what other measures are in place to assist with the Public Trustee staff - perhaps mental health and wellbeing? We all know that mental health is such an issue now that's been overlooked in the past. Workers compensation, compensation and other areas - have you had any specific training for staff who might be dealing with things like vicarious trauma, dealing with difficult people? We know that all happens particularly in an emotional setting. The last part on that is, how many, if any, Public Trustee staff are currently receiving workers compensation with regard to mental health, if you're able to - and I accept that if it's a small number, we certainly don't want to identify anyone.

Mr KENNEDY - No. Some of the work health and safety training that we've delivered over the year is de-escalation and managing difficult situations because we've shifted away from the previous days of having a security guard and not welcoming our clients. We acknowledge that if you create the right environment in the first instance, it can prevent a lot of those things occurring.

We've had situational awareness training as well, vicarious trauma training, injury management workshops, mental health first aid, WH&S, responsible officer training. Quite a bit. When it comes to workers compensation claims, it's been very low over the three years. This year we had four claims. Three of those were actually claims that were in place, and two of those are resolved with the staff member returning to the workplace, and the one outstanding one, the person is on a return-to-work program.

PUBLIC

CHAIR - Lovely. Thank you very much, appreciate it.

Mr HISCUTT - Sort of in the same area with the incident reporting, obviously a huge rise, but a good reason why, which we like to see - well, I don't like to see, I understand why it's there. The comments made at the end of that paragraph says the majority of these incidents were minor in nature. What defined majority, in that you have a percentage - is that 80 per cent or is that only - did you have an idea of how many major incidents there were?

Mr KENNEDY - There were only a handful of major incidents and the majority - it'd be over 90 per cent. When we say minor, I don't want to underplay the impact that it can have as a one-off or over time, but generally that might mean something commented in an email from a client to a client account manager, or over the phone. I'd say in the past the culture was that this is part of the role and accepted. What we've really done is try to build a culture around making sure you report all these things, because that's the only way to know what's systemic, what can we do to help our people. I'd say we have a really good reporting culture there now, which wasn't there in the past.

Mr HISCUTT - Builds up the profile - the comment was good. Just to know that majority is only a small number of actual - five to 10.

Moving on, looking at some of the financial targets, capital expenditure had a target of 692 and an actual spend of only 304. I know that's explained, but how is the target set, and will that change in the future?

Mr KENNEDY - As part of our corporate planning process, we will develop a budget for the year and over the forward Estimates. Really, that was a sequencing this year in that we knew that we were going to do some work around modernising our legacy system. That's just pushed into the new financial year more, which is why we've underspent in that area.

Mr HISCUTT - So, expecting next year that that will be on budget hopefully, or the correct amount, if we hope?

Mr KENNEDY - Yes, we're expecting an increase because with our replacement of our legacy systems, there's an estimated cost of doing that, around \$1.5 million, from a capital point of view, which we will be funding off our own balance sheet.

Mr HISCUTT - Also in those indicators, there was a target of 900 wills to be completed, but the actual as only 590. Is that just fewer people coming through the door than hoped, or is there any -

Mr KENNEDY - No, we've set aspirational targets given the gap in the community and we talked about how many people pass away; we try to really put them out there. It's been around the same amount for the last two years, but we're actually booked out until March, so there's a lot of demand and it's still a 28 per cent increase up on the 2022-2023 figures. Part of that is having the right resourcing in place and getting people who are maybe new in the role up to the capability as well, so we expect to improve on those numbers.

Ms WEBB - In terms of the staffing complement you have, who can work in that area, potentially they could deliver 900 wills a year?

PUBLIC

Mr KENNEDY - We've actually reduced our KPI this year to 750 to match the resourcing that we have in place.

Ms WEBB - Okay. So, working at capacity that's an aspirational target that you could meet?

Mr KENNEDY - Yes, and I think the other underlying reason with the 900 is what we're seeing is a lot more complexity from the community and what they're coming to us for - for wills. So that takes longer to actually prepare. Whereas really, the space that we see ourselves in is mums and dads in the community, more of those wills are straightforward in nature, which would enable us to do a higher volume.

CHAIR - If I could ask on the wills, to follow-up before I go back to Ms Webb, because I think she has other questions. You were talking about how everyone over 18 really should have a will, and I noticed the targets and what you're saying about straightforward - but I imagine that young people's wills would be very straightforward. What marketing are you doing to try to pick up that group? Obviously there's a big untapped group out there who should have a will. Do you go to areas like Facebook, Instagram - I'm not sure what all the latest young people things are on the internet - or like UTAS, as I think Mr Gaffney was talking about, interaction with UTAS.

How are you getting out to the over 18-year-olds, a totally untapped market to say, look you need a will? I would have thought that most 18-, 19-, 20-year-olds wouldn't even think about a will unless mum or dad said, how about you do it. Is there something that you're doing or can do to try to get that market for the straightforward, simple will to get the message out there that you should have one?

Mr KENNEDY - We can. It's fair to say that most of the social media that we do and information sessions are targeted at a much older demographic. We've taken the view that we start where the bulk of the population is, where the immediate need is. We have done some awareness for the younger cohort as part of National Wills Week along with the other public trustees. There was a campaign around, in particular, 18-year-olds, which we were able to piggyback off the work that Queensland Public Trustee did, and we picked up some media around that as well and some radio that comes on the back of it. We could do a lot more in that space for a younger cohort. It is probably a generational problem that we could potentially wipe out. If you get to the 18-year-olds, that could be the solution within a generation.

CHAIR - It was just you mentioned that was an area that they don't seem to have wills and I thought, well, maybe it's something that could be looked at, particularly seeing they would be straightforward.

Mr HISCUTT - An education program in schools or something like that.

Mr GAFFNEY - You have a vehicle there too with the legal studies classes throughout year 11 and 12. Tell one group within the school what you're doing or how you're doing it, and it will soon get around to the others.

Mr ABETZ - When you're 18, you're going to live forever,

PUBLIC

Mr GAFFNEY - I know. But you will get some through that legal studies who would take that on board.

Ms WEBB - Thanks, Chair. I wanted to come back to the community service obligations aspects of your funding. I know Mr Hiscutt asked you some questions about that earlier, and it may have been that I was distracted looking at something else and missed you answering this part of it. Forgive me if it's a repeat.

You've got your basic funding amount through community service obligations from the government, and then there was some additional applied from the 2022-23 state Budget for four years to assist with the implementations of the review recommendations. That will presumably finish this financial year that we're currently in.

Looking ahead, it's anticipated that's a fairly - it was an extra \$1 million or thereabouts, which is quite a big proportion against what your core CSO funding from the government is. So, when that drops away, how are you going to be managing that drop-away? What will you have to do? Will you have to make any reductions or reappropriations or rearrangements of services, or what impact is it going to have?

Mr KENNEDY - To answer that directly to the point: the answer is no. There will be no impact on our service or ability to deliver services. This is the last year that we have that grant funding. However, it's almost four years to the day that the independent review was handed down and we're ready to finalise the last recommendation. We're just putting the measures in place at the moment, and looking to launch that on 1 January, which will bring fee relief to 550 of our represented persons of around \$500 a year. It's a great way to finish the Bugg review. It also coincides with when that grant money finishes.

Ms WEBB - So it's all tallied up quite neatly then -

Mr KENNEDY - Yes.

Ms WEBB - in terms of the extra uplift that was provided across those four years, by that extra million or so a year - has been sufficient and appropriate to implementing the recommendations from the review, and it hasn't been something you've utilised in other ways and therefore will feel the loss of going forward?

Mr KENNEDY - No, and the key thing that enables us to continue from this point forward is the fully-funded CSO agreement that we got in the last Budget, and that over the forward Estimates, which as per the Bugg review, has an increase over that period of time. So outside of that as well, you look at the work that we're doing with estate administration, and that grew by over 25 per cent, the revenues for last year. When you look at the ageing population, that's going to continue to grow, which is really important as far as our financial sustainability.

We're confident that with our current plan, with that \$1 million coming off, with a new system coming into play which will have efficiencies, that we will be able to continue to deliver services for all Tasmanians, but most importantly those most vulnerable, with the support that we currently have from the government, with that CSO funding. In our forward planning, it will be tight for that first year, but we will still be in the black. From then on it looks positive.

PUBLIC

Ms WEBB - Is that largely because of what you just mentioned: the fees that come in through estate management help to increase your bucket of funding to utilise across the board?

Mr KENNEDY - Yes, it's a combination of growing revenues in that part of the business; managing the costs efficiently, which is what we're required to do; but also efficiencies that a modern and contemporary IT system delivers for us as well.

Ms WEBB - It makes all the difference. Thank you.

Mr HISCUTT - I had a question about acting positions in your senior management. There are a couple of positions there - manager trustee services and northern manager - that have been in an acting capacity for, it looks like, over two years. If you'd like to comment on that.

Mr KENNEDY - Yes, really pleased. We have our, now, director of client services with us at the back of the room today. She was very patient over that period of time, but both those roles are now permanent and have been done in the last sort of, well, one as recently as last week, the northern manager, and the director of client services during the year. That was really pleasing.

Mr HISCUTT - Yes. Without going into details, are there reasons for that lengthy time period?

Mr KENNEDY - Yes. Within our structure, we were looking at creating an additional SES role and that role took time. There's a process you go through for having those assessed. At the end of that process, though, we changed our position and we felt that the role was best to be focused on client services and across all our leadership team to have parity. So, it wasn't that role that was going to be a SES role, but where we've landed is that all our senior leadership positions are at the same banding for parity.

Mr HISCUTT - Congratulations to those people. Thank you for the answer to that.

CHAIR - I noticed on 1 September 2024, significant changes to the *Tasmanian Guardianship and Administration Act 1995* came into effect. Can you provide an overview of how well the Public Trustee was able to implement the changes mandated by the legislation? I've come across it myself in recent times with constituent issues that sometimes a guardian has difficulty because a client has a different view and this has actually come into play. If you can give me an idea of the overview of how well you could do that and also what challenges you have encountered through the implementation of this legislation.

Mr KENNEDY - This has been a huge piece of work that was done over a couple of years, maybe a little bit longer. It all started with consulting with our clients, our stakeholder reference group, as well as two leading experts in this space: Prof Christine Bigby and Prof Jacinta Douglas from the Living with Disability Research Centre at La Trobe University, who are also involved with the training for our staff.

The key thing that we did as an organisation was, the decision was made to actually bring that change into place and introduce our new supported decision-making framework 12 months prior to the legislation coming into effect to give us time to make that change. That had an

PUBLIC

immediate impact on the client satisfaction survey results. That's why we've had three years of positive results because we've changed the way that we support people.

CHAIR - That's the best interests, and will and preference?

Mr KENNEDY - Yes, that's moving from best interest to a will and preference model. Placing the person at the centre of all decisions and promoting their social and personal wellbeing. It's also about building capacity, which is a key part of what we do. At the same time, we launched a financial independence pathway program and we've offered that to all our clients. I think we have 174 participating in either formal or informal capacity building initiatives. We have been able to manage that change really well. The feedback from our clients has been really positive.

In relation to the challenges, probably, because the act also has a requirement for medical practitioners to meet with clients every occasion, that's presented some challenges as far as delays, pressures on the system, and getting a health practitioner's report done. What that means is, a medical practitioner who's known a client with a disability for 15 years, doesn't feel that they need to meet with that person again to go through that. So there's been some little bumps along the road, respecting the pressures that medical practitioners are in, respecting the role of the tribunal. However, at the Public Trustee, our role, the client account managers, is actually ringing up and getting those health practitioner reports done and following them up. It meant that from a teething point of view there were some tribunal hearings that had to be postponed and it was probably double the amount that they would normally do, but I'm sort of getting into their space at the moment in answering that.

CHAIR - So in instances where maybe a person's will and preference has needed to be overwritten, what guidelines are in place to ensure that this is done in a supportive manner, with that person's wellbeing in mind? Obviously there are going to be occasions that that will need to be overwritten?

Mr KENNEDY - Last year we had 6400 decisions that we supported our clients with, and there were no substitute decisions that were made in the year. So there wasn't an occasion where we needed to override a person's will and preference. That's how you would expect it to be, because the only reason you can do that is if it's going to result in serious harm, or it's illegal, or it's against a particular matter of the order.

I will say, though, that of the 6400 requests or decisions that we supported people with, there was around 550 that we weren't able to fulfil, but that's more as a result of client not having the funds available to make their request.

CHAIR - I understand that. How are culturally and linguistically diverse people supported through the processes? Are you finding you have enough resourcing and enough access to cultural interpretation services?

Mr KENNEDY - We've done some training for our staff to help build their awareness as well. I know that the tribunal themselves has had an increase in the number of interpreters used at hearings. We haven't actually seen a lot of demand in that space. It's probably an area that if we see more, we will need to do more work in, but there hasn't been a lot at this point in time. We've certainly invested in the training for our people so that we - what's very important is that we take the time to get to know the client and their will and preference. Part of it relates

PUBLIC

to their special needs when it comes to communication, or the key people involved in their life, or what's important to them.

CHAIR - So it's the relationship?

Mr KENNEDY - It is, absolutely; it's about trust and having that positive relationship.

CHAIR - Any members? No? I have more questions. I just don't like - you have a question? No, that's fine. I don't like to take up all the questions of others. No, that's fine. Going back to the client satisfaction surveys, I know we've already asked some questions; is that done by an independent third party?

Mr KENNEDY - It is. We engage Myriad Research.

CHAIR - I'm sorry, you did mention that before, but did we say how much it cost annually?

Mr KENNEDY - I didn't because I wasn't asked, but I can answer that: it's approximately \$18,000 a year to do that survey. It's quite extensive. It involves up to 40-minute conversations with clients and their support workers, but for us it's a really important investment because the voice of our clients really guides what we need to keep doing and what changes we need to make. For us, it's one of the most important pieces of research we do every year.

CHAIR - How do you ensure that that there is sufficient independence with that? I think that's really important too, in gathering the client data. I'm assuming that Myriad is the one that interprets the data, or you interpret that in-house?

Mr KENNEDY - It's all independent. Myriad interprets the data and provides a report and they come along and report to the board as well. It's done to Australian privacy standards. That's the value in the investment that we make: that you know that it's conducted appropriately and in line with those guidelines. It's not something that we do internally. We open up our client base for them to do it arbitrarily. We do write to our clients and reach out to them to give people the opportunity to opt out as well, should they not wish to participate.

Ms TAYLOR - Can I add to that to give you an assurance in terms of the rigour of the survey. Obviously some of our clients are non-verbal or not able to respond, but we still want the views of that client group and so support networks are involved in the survey. We really endeavour to capture as broad a cross-section of our clients in terms of the feedback.

Mr ABETZ - Human nature being what it is, people are satisfied and then they're told they might have to engage in a 40 minute interview, I dare say a lot of them will say, 'No thanks'. Whereas if you've got a beef for a complaint, you are more likely to say, 'Yes, I will take up this opportunity'. I would assume these figures are exceptionally good for the Public Trustee.

Mr KENNEDY - If I could add to that. The field work was conducted in accordance with the relevant industry quality assurance standards, ISO standards, and privacy protocols, market and social research privacy code relating to the survey methodology as well as the Public Trustee's own privacy considerations. It's also robust and to a 95% confidence.

PUBLIC

CHAIR - Thank you. Another question I always like to ask, and I've asked these for a long time about many GBEs and SOCs, I noticed you have a five-member board, which is quite a small board.

Ms TAYLOR - Yes, it is.

CHAIR - Is five the number or are you short on any numbers? Is five the number, or is it a seven and you've just got five members?

Ms TAYLOR - Yes, it's a five-member board. It's a high-performing, skills-based board, of course, very committed to purpose and, because of the skill set that those particular directors bring to the board, I think a five-member board is appropriate.

One director is a former public guardian. One member is an expert in investment markets. One has lived experience, and one member is an expert on risk and audit in terms of our financials. As chair I've implemented client-centric frameworks in the past and of course I have a background in governance. All those skills come to the table and it has been a high-functioning board.

CHAIR - Do we have a Tasmanian-based board, or do we have anyone from the mainland?

Ms TAYLOR - It's a Tasmanian-based board.

CHAIR - It's wonderful to hear, and congratulations.

Ms TAYLOR - And can I say regional representation, as well.

CHAIR - Yes. I'd have to say, acting Attorney-General, through you, absolute congratulations on having a skill-based Tasmanian and regional representation, which I've always found to be very important. Certainly they know the best about what Tasmania needs.

Ms TAYLOR - Can I add to that as well. In terms of the regional representation, the board is very conscious of, as we say, getting feedback about especially the gaps in our service and areas we need to improve. The board meets around the state. It doesn't just meet in Hobart. Before we meet, in every location we invite stakeholders and networks to come in and meet with the board. We are gathering intelligence and feedback about our services, directly to the board, which is a very important thing to do. That's been a very important part of our mission.

CHAIR - Lifting the profile and good name of the Public Trustee.

Ms TAYLOR - Yes.

Mr HISCUTT - Just allowing you to talk on positives again, as part of the improving client services through technology, there's a statement about improvements to staff workload management tools, enabling greater insight into the effort required to provide efficient client service delivery. Did you want to speak more to that to explain that better?

PUBLIC

Mr KENNEDY - It's twofold, really. We've made changes to our existing systems that help provide a bit more detail around complexity, help staff as far as notifications and reminders around what's coming due.

Mr HISCUTT - Is this a change in process, or is it change in software?

Mr KENNEDY - No, it's a change in the system itself. Which means reaching out to have certain things turned on or introduced or amendments to the existing technology.

I think the big change for our people will really come in 12-months time and we can lift and move to more contemporary -

Mr HISCUTT - This is working within - this is improvements, not a change. This is just, 'We're using what we've got more effectively'. I wanted to understand what the actual comment meant. Thank you.

CHAIR - No, that's fine. Thank you. I have a few different areas; trying to think which one to go to.

The annual report emphasises the efforts being made to nurture people and culture at the Public Trustee, which we know is very good. What specific measures have been made in the past few years to make things better for the staff? Apart from what we've already spoken to, have any of the changes made a difference to the pool of candidates that are attracted to work at the Public Trustee in recent years? We talked about applications, have they increased - are you finding that you're getting more applicants from a wider range and, as we mentioned earlier, perhaps from interstate and other areas. How is that actually working?

Mr KENNEDY - If I roll the clock back three or four years, a lot of people coming into the Public Trustee were concerned, I guess, about reports, and what they'd heard and read. Rightly so, and that's changed significantly. There's such a positive culture now that people who apply for roles - and it's Tasmania - often know staff who work here and they've heard about what a great place it is to work. So that helps.

The number one thing that's really attracting people is it's a place to work with purpose and that seems to be really resonating with younger people, in particular, who are looking for this, I guess, as a key aspect of where they work.

CHAIR - Outcomes.

Mr KENNEDY - Yes, outcomes. And it comes through loud and clear in the surveys that we conduct of staff. It's one of the things: the camaraderie with their team, the support they give each other, but it's work with purpose.

CHAIR - What sort of reasons are you most frequently given when people do leave apart from retirement? Do they leave to go into the private sector? When they're leaving you find out the reasons they're leaving so what sort of reasons do you normally get? Do you lose many people?

Mr KENNEDY - Turnover has reduced over the three years down to 23 per cent now. It was about 48 per cent three years ago -

PUBLIC

CHAIR - Yes, 48 per cent to 49 per cent in 2023.

Mr KENNEDY - Yes. So, that's really important not just for our own people, but also for our clients because they're getting that continuity for the relationship. Because our staff are part of the State Service, there are opportunities for them to move into different departments, go up for extra pay. Sometimes people come into the organisation and they're looking for a role for a period of time. Naturally, everyone wants to progress. Sometimes people come in and it's not what they thought it would be or, until you start doing the role, maybe it's not what you're cut out for. That's fine because it is a challenging role. So, there are no concerns from our point of view around the number of people leaving and the reasons for leaving.

We actually support people and encourage them. It's about their career development and that comes down to those discussions you have during the year and what they'd like to do with their careers; so, they go with our support.

CHAIR - I know you have those meetings. The monitoring, the staff sentiment and the people and culture, is that done mostly in-house? I know we had the other group -

Mr KENNEDY - The staff engagement survey this year was an in-house pulse check that we did because the broader State Service, whole-of-government didn't do the survey. It wasn't due for this year, but we wanted to check in with our people and get feedback from them. A big part of that survey - they answer four or five questions that are the drivers for engagement and we mirror the same with the State Service, but there are a lot of verbatim comments. One of the benefits of having four or five questions is we have a lot of gold comments about what people love and what they want to see done differently. So, if the whole-of-government is running its survey, that's what we do. We might do an additional check, like we did when we launched our supported decision-making framework - we did an initial check with our clients, initial check with our staff - but, on an annual basis, at a minimum, it's really important feedback.

CHAIR - How do you ensure the integrity of the information if it's not done by an independent or impartial third party?

Mr KENNEDY - It's anonymous, that's the first thing, and it's done through our marketing team, which is one person or sometimes one point - more than that. They make sure that before the report is passed on to management or distributed that any identifying factors, particular in verbatim comments are removed, which, generally, you don't need to do a lot of work in. I think it's really about the culture as well. It's not just about asking people what they would like to do. You have to be open to taking on that feedback, sharing it and, basically, make the changes then make sure you get on with doing what people need, otherwise you're effectively saying you're not listening or you don't value people's feedback.

CHAIR - Your FTE - I'm just not sure, did we ask the question?

Mr KENNEDY - FTE is 77.

Ms WEBB - Seventy-seven and 88 headcount.

CHAIR - Did we have any positions that were vacant though, across -

PUBLIC

Mr KENNEDY - You asked that as well.

CHAIR - You asked that? That's alright, I was just -

Mr KENNEDY - It's on *Hansard*.

CHAIR - I will read that. I will go to another question. You already have a number of partnerships with organisations like COTA, and events like Law Week and so on. Is there scope for you to build partnerships with organisations perhaps in the banking or the legal sectors, such as Tasmanian banks? People might be more willing - you know what they're like; they like a one-stop shop. Are there any other areas that you're looking to do some partnerships with, apart from the ones you're already engaged with? Through you, acting Attorney-General.

Mr KENNEDY - We have an important relationship with Legal Aid. We refer clients to Legal Aid for their services, and they will refer clients to us for wills. We already have really good relationships with the private legal firms around the state: north-west coast, Launceston and in the south and it's really important. We were engaging with them recently and the feedback is that we're not seen as competition. There's such a need for wills in Tasmania that it's going to take a collective effort to actually solve for this service need.

When it comes to banking, we're always open to new partnerships. We work closely with banks when it comes to the work we do identifying any suspected elder abuse or misappropriation of funds. As far as the services of the organisation, that's set by our Ministerial Charter, and we work very closely to make sure that we're focused on delivering those core services to the community.

CHAIR - That's really important. Another question I have, and we have talked about community engagement and the amount of work that you're doing. I'd like to put on the record just how great, you particularly, and I think there aren't too many CEOs who actually provide their mobile number to people to reach them and will call you back if you don't reach them. It is really important to put on the record that it has been amazing from my office's perspective to make a call to the office to have a very quick response and be able to resolve something. It doesn't happen in most organisations. Since you've been there, I have to say it's been absolutely amazing. From the office of Launceston, we thank you very much.

I will ask another question, but I wanted to put on the record just how good it has been, and for our constituents, how grateful they are, particularly when they can have something resolved quickly without having to tell them, 'I've written, I've phoned, I'm waiting for an answer', and then maybe a couple of weeks later - to actually be able to get it back within 30 minutes.

Mr KENNEDY - If I could add to that, especially since a number of staff are probably watching. One of the risks I identified in my first year was that a lot of that work was being done by me. What's really pleasing, and we recently had an internal audit, is that that level of accessibility and availability now goes right through the organisation, so that removes that dependency, it's part of the culture.

The stakeholder reference group is a great example. We have a team leader, the manager of personal services, our director of client services. So, outside of those regular meetings, if

PUBLIC

ever there's an issue with the health service or anything, they can pick up the phone, and as you say, it helps cut through and get things done quickly.

CHAIR - Absolutely amazing and a real benefit to constituents. They are so grateful, and they feel listened to, which is really important that is now happening.

One final question because we're almost out of time. With community engagement and the media efforts - and I know that you're making a lot of that and doing a lot of work - do you find that there's been any quantifiable increase in the number of inquiries the Public Trustee gets for assistance with the wills, the guardianship and the estate planning? Can you actually show some real benefits from that? That will be my last question, unless other members have any questions?

Mr KENNEDY - One of the key things we've focused on is not just services for new people coming in the door, but retention. When I first started what we call 'later wills', which is when somebody comes into the office and lets you know that they've written a will somewhere else, there is no central register, but that's a really good indicator of where things are at. When I started, there were probably between 60 and 70 wills with people coming in every month and saying I've taken my will elsewhere. That's reduced significantly over the three years and it's now down to 25, and we're aiming to get it down to 15. So people are a lot more comfortable reputationally.

As I said before, we're booked out until March next year, so there's a lot of demand for our services. It's important now - and this is what the board recognised in our recent strategic planning - that we need to get out there in the community and do more work around our brand health and sharing all the good work that's being done. It's important for people in the community to have confidence in the Public Trustee.

CHAIR - I really appreciate it. Any other comments that you'd like to make, chair, or through you, acting Attorney-General, before we wrap up? You can see you're doing such a great job, that's why there aren't too many questions, because you are doing such a great job.

Ms TAYLOR - It has been recognised by the committee, and I certainly thank you on behalf of the board and the organisation, that over the last three years we have really turned the Public Trustee around. We had an independent report, we had an OTTER review into the services of the Public Trustee, and there's no doubt it was letting the community down. That's been recognised. With the cultural changes that we've made, the organisational changes that we've made, you are starting to see from our service delivery, and we've quantified it now with the surveys, that we're actually able to go back out into the public and say that the Public Trustee is a different organisation, have confidence in us. From here, the board is using this as a springboard to move into other areas now. We've provided a dividend back to the government this year -

CHAIR - Yes. A big turnaround.

Ms TAYLOR - under our GBE status, and the forward Estimates say that as a GBE we will be fulfilling our obligations to government in that regard.

More than that, we service the Tasmanian community. We have a whole range of strategies now, as I said, with this solid foundation, to grow the number of wills, to use our

PUBLIC

partnerships. We think we're better together than apart. The stakeholder reference group has been one of our critical success factors. People won't work with you unless they understand what you do and how you can partner together. Our door is open, we're out talking to people, we're part of the community and from here you will see other areas of our revenue raising growing over the next few years. It's exciting to think about what we can do now in terms of those services that the Public Trustee offers to the community.

CHAIR - Thank you. I really appreciate your comments. It's been great. No further questions?

Mr HISCUTT - No. Very good.

CHAIR - As I said, it's been wonderful having you in today and hearing the progress of the Public Trustee. I'm sure all members here feel the same. It's been such a pleasure to see the turnaround. From my perspective, it's great to see a Tasmanian board, questions I've always asked about, so thank you very much.

Mr KENNEDY - Thank you.

The committee suspended from 12.43 p.m. to 2.00 p.m.