

Together branch of the Australian Services Union
Lvl 6, 22 Cordelia St, South Brisbane, 4101



Together branch of the ASU is the union for state sector public servants, and is one of the largest public sector unions in Queensland along with the QNMU and the QTU.

Our union members have an interest as employees and community members in the operation of the Public Trustee. Our members will be directly impacted by the proposed law changes

Below is our initial feedback for the purposes of consultation on the *Public Trustee (Advisory and Monitoring Board) Amendment Bill 2021*.

Our members support improvements to governance and transparency in government. We make the following submission in the interests of furthering the effectiveness of the proposed reforms.

Funding and resourcing of the Public Trustee staff

While members appreciate there must be funding for this Board and improvements to governance, including staff support, there are concerns that this is happening simultaneously as many significant service delivery roles are vacant within the organisation. While this is not directly the purview of this legislation, the purpose of the Public Trustee is to deliver a service to Queenslanders and members are concerned that if there is funding available to provide this new Board, there should also be funding available to ensure vacancies are filled and staff can do their jobs to deliver services.

Consultation & outsourcing

Members can see that this reform could be a great thing in that there is significant recognition in the need to improve systems, structures, funding, and resources at the Public Trustee to meet the needs of Queenslanders. However members wish to raise that significant changes in work and process must be consulted on appropriately, and that this legislation does not lead to any recommendations that could lead to outsourcing, privatisation or otherwise removing this important service from public ownership and control.

Transparency and accountability are vital, and historically these have only been worse when government programs are outsourced or services privatised.

Questions

- The Board will have the power to make recommendations to the Minister, however it is not clear the process for the Minister to respond to these recommendations. How will these recommendations be dealt with?
- The Board recommendations should be available for public scrutiny. Where will the reports and recommendations of the Board be published for public review or consideration, including for staff?
- How will key stakeholders that the Public Trustee deals with such as QCAT, OPG, OPA, and QAO have their submissions heard by the Board?
- RE: s117ZC - is the CEO of the Public Trustee a permanent board member under section 1a or would this mean someone from the Department of Justice and Attorney General?
- What additional assurances can be provided on having appropriately qualified Board members, as the list of professional qualifications in 117ZD (a) and (c) are quite broad and do not guarantee the individuals appointed will have experience with the diversity of financial matters the Public Trustee deals with.
- Is there any review process for the Board appointments by the Minister? Will any rea

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117ZH Conditions of appointment

Members are concerned that despite continued high workloads for staff delivering the services of the Public Trustee that the members of the Board can be remunerated at the discretion of the Minister. Would this come out of the budget of the Public Trustee? Members have serious concerns considering the existing issues that this could exacerbate the workload issues members are experiencing which inevitably will have an impact on customers.

117ZV Consultation before advice given or recommendations made to Minister & 117ZW Advice or recommendations to Minister if decision not unanimous

The explanatory notes to this Bill provide:

“Recommendation 30 of the OPA Report is that Government consider additional oversight and/or reporting mechanisms to improve the Public Trustee’s performance, transparency and public accountability.

In response to recommendation 30, the Government committed to the establishment of a Public Trustee Board with an advisory and monitoring focus.

The objective of the Bill is to amend the PTA to establish the Public Trustee Advisory and Monitoring Board (the Board). The Board will provide additional oversight over the Public Trustee to enhance transparency and public accountability.”

Members are concerned that these sections do not sufficiently provide the transparency and accountability the Bill is seeking as there is limited consultation on decisions and limited visibility on dissenting advice. It is not clear why if the purpose is accountability and transparency, that dissenting views of the CEO or Board members are not required to be published in full, with an additional summary.

Additionally, due to members experience working for the Public Trustee they have concerns that the Public trustee being consulted only includes the CEO themselves. Members have concerns that this could provide feedback to the advice that is not reflective of the perspective of staff, customers, and other key parts of the larger organisation that is the Public Trustee.