# How the Public Guardian can help you

## Answers to your questions

public guardian

www.publicguardian.qld.gov.au

# About this booklet

This booklet is written by the Office of the Public Guardian.

The Queensland Civil and Administrative Tribunal (QCAT) has appointed the Public Guardian as your guardian because there are some decisions in your life that you need help with.

## It is our job to help you make these decisions.

This booklet will tell you who we are and how we can help you, and answer some of the questions you might have.

If you want to speak with a guardian, or get more information you can call **1300 653 187** or visit our website at **publicguardian.qld.gov.au**

# Who is my guardian?

QCAT has said that the Public Guardian will be your guardian. The Public Guardian is not a government official. They are a person who acts as a guardian for people who have no one else who can help them make decisions that keep them safe.

> **The Public Guardian employs people to help with this job. They are called guardians.**

There is a team of guardians who are there to help you. When a decision needs to be made, one of them will be there to help you make it.

The Public Guardian doesn't make decisions about money. If you need help with this QCAT will ask an administrator, such as the Public Trustee, to help you manage your money.

# What does a guardian do?

A guardian is there to help you make decisions that you may not be able to make yourself.

QCAT decides what types of decisions a guardian can help you make. These could be about your health, or about personal matters such as where you live, what services you have access to, who can visit you, or what should happen if you have a legal problem.

> **We think it is important that you be as independent as possible.**

But we think the most important thing is that you are healthy, safe and get the supports and services you need. This may mean that sometimes you may not like the decisions we make, but we always have to put your safety first.

# What doesn't a guardian do?

It's important to understand the Public Guardian is only there to make personal decisions for you.

This means a guardian's role isn't day to day support or care – this will continue to be done by your family, friends or carers.

Guardians also don't take on the jobs other agencies or service providers do for you.

**So for example a guardian won't:**

- ✖ take you to appointments
- ✖ help you find or move into new accommodation

A guardian can only make decisions on things that QCAT have said they can. They cannot make decisions about anything else. So for example if accommodation is not on the list of things QCAT has said we can make decisions about, we cannot make a decision about where you live if you need to move.

A guardian also doesn't make decisions about your money. QCAT may have asked an administrator, such as the Public Trustee, to help you manage your money.

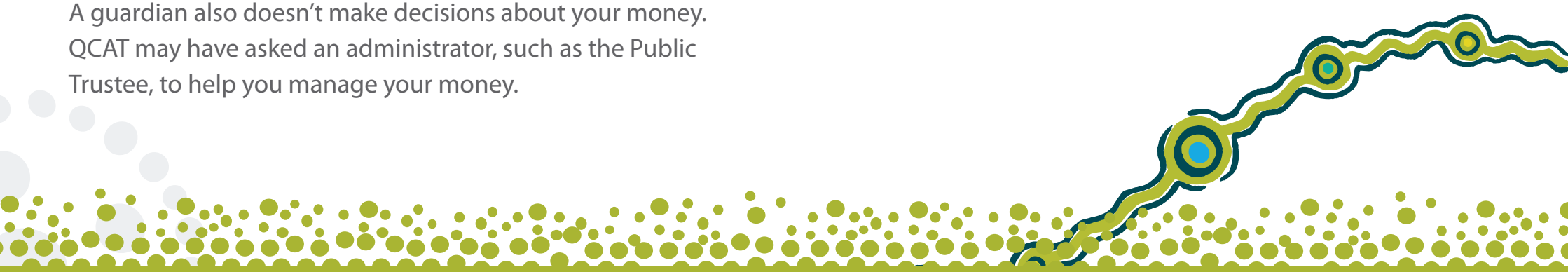
# How often will I speak to a guardian?

A guardian's role is to help you make decisions, so a guardian will usually only need to speak with you when a decision needs to be made.

This means that when something is happening that needs a decision you may need to talk with a guardian a lot, but sometimes you might not need to speak with a guardian for many months.

> **Depending on where you live and what types of decisions need to be made, a guardian may visit you, but a lot of the time you will talk on the phone or by email.**

They will talk to you about what is happening in your life, how you feel about guardianship and what you think about the decisions which might need to be made.



# How long will the Public Guardian be my guardian for?

When QCAT decided that the Public Guardian was to be your guardian, they also said how long they would be your guardian for.

This information is in the guardianship order that you would have been given after the QCAT hearing, or a guardian can also give it to you.

When this period of time is over, QCAT will meet again to decide if there are still decisions that need to be made and if you still need a guardian to help you make decisions.

# What decisions can guardians make?

Guardians can help you make decisions on a range of matters. QCAT decides exactly what types of decisions a guardian can help you make, and this is in the guardianship order you would have been given after the QCAT hearing.

**Exactly what decisions a guardian will help you with will depend on what's in your guardianship order, but some examples are:**

- ✓ Where should I live, and who should I live with?
- ✓ What health care or dental work should I have?
- ✓ Who should I have contact with?

They can also make sure you are getting the support services you need from other agencies and organisations, including the National Disability Insurance Scheme. If QCAT has said we can make legal decisions we can also help you if you have a legal problem (but we can't help if your legal problem is about property or money).

Guardians cannot make any decisions about your money or property.

# How does a guardian make decisions?

**To make a decision the Public Guardian needs information about:**

- what is happening in your life
- what choices there are for you, and
- whether the decision will be a good thing for you.

We want to make the decision that we think you would make yourself if that was possible. This means we will ask you what you think about the decisions we need to make and what you want or need.

> **What you say and think is very important to us, even when this is different to what other people might have to say.**

The law says we must listen to what you say, but we must also make decisions that will be in your best interests. This sometimes means that to keep you safe, or to make sure your rights are protected, we may have to make a decision you don't agree with. You can talk to us about the decision though if you don't like it.

We may also ask people who care for you and help you to give us information and to give us their opinion on what would be a good decision for you.

If an administrator or the Public Trustee has been appointed to help you manage your money, the guardian may also need to speak with them to find out what you can pay for.

# How do I know what decision was made?

It might take a bit of time to get all the information from you and the people in your life. When we have this information and have thought about all the choices, we will make a decision.

> **A guardian will always talk to you to explain why a decision was made for you.**

You can also ask for the reasons for a decision to be written down and given to you.

# What if I don't like the decision the Public Guardian has made?

If you don't like or disagree with a decision that the Public Guardian has made, you can speak to a guardian about it.

You can also tell the guardian's manager or our Complaints Officer that you are unhappy with the decision. We call this a review of a decision. If you want to ask for a review of a decision you should do this within 28 days of a guardian telling you why a decision was made.

If you want to do this you should call us on
**1300 653 187** or email
**publicguardian@publicguardian.qld.gov.au**

If you are still not happy, you can ask QCAT to look at the decision and to decide if it is the best decision for you. You can ask a family member, friend or support person to help you do this.

# What if I have a complaint about a guardian?

If you have a complaint about a guardian you can talk to their manager. You can also talk to the Public Guardian's Complaints Officer.

If you want to do this you should call us on **1300 653 187** or email **publicguardian@publicguardian.qld.gov.au**

# What if I don't want the Public Guardian to be my guardian?

If you don't want the Public Guardian to be your guardian, you can ask QCAT to review their decision to appoint a guardian for you.

You can contact QCAT by calling **1300 753 228** or email **enquiries@qcat.qld.gov.au**

# Do you keep my information private?

We respect you and your personal information. Generally anything you tell us will be kept private. We will not give other people any information about you unless:

- you tell us we can, or
- we need to give that information to make a decision for you, or
- a legal request is made for information.

We also have agreements in place to share your information with some other government agencies. We are doing this so that they know you are our client. This means that if something happens, they can contact us so we know what is going on and can make sure you get any help from us that you need.

Doing this means we can make sure your rights and interests are looked after, and you are kept safe if something happens like you have to go to hospital, or you are taken to a police station for any reason.

# Contact Information


## Office of the Public Guardian

**Phone:** 1300 653 187

**Email:** publicguardian@publicguardian.qld.gov.au

**Website:** publicguardian.qld.gov.au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