

Office of the Public Guardian and Trustee

Business Plan

2018-21

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Accountability Statement

This business plan was prepared under my direction, taking into consideration our government's policy decisions as of March 31, 2018.

original signed by

Barb Martini, Executive Director
Office of the Public Guardian and Trustee

Branch Overview

The Office of the Public Guardian and Trustee (OPGT) is a branch of the Justice Services Division, Alberta Justice and Solicitor General.

OPGT endeavours to help all Albertans achieve personal autonomy, live with dignity and maximize their potential. They do this by providing information, education and support to help Albertans plan for the future and make the most of today using a variety of options, such as guardianship and trusteeship, if decision-making support is needed. They may also assist in settling the affairs of persons who are deceased if no one else is willing or able to do so, and they manage and protect funds for minors in special situations.

The Public Guardian and Public Trustee have mandated roles under several pieces of legislation, including, but not limited to, the *Adult Guardianship and Trusteeship Act* (AGTA), *Personal Directives Act* (PDA), the *Public Trustee Act* (PTA), the *Minor's Property Act* (MPA) and the *Estate Administration Act* (EAA)

OPGT works with partners such as Persons with Developmental Disabilities, Assured Income for the Severely Handicapped, Alberta Health Services, Children's Services, Community and Social Services, and a variety of community-based service providers to meet the needs of Albertans.

A detailed description of the services of the OPGT can be found at: www.justice.alberta.ca.

Strategic Context

The outcomes and key strategies identified in this business plan are aligned with the strategic direction of the Government of Alberta, including the Ministry of Justice and Solicitor General, as well as legislative requirements and the operational context of the OPGT.

Alberta has continued its strong trajectory of growth, despite the recent economic recession. Even during tough times, the population grew from 4.1 million in 2015 to 4.3 million in 2018. Growth of this magnitude places increased demand on government for service, which can be challenging to meet in times of

fiscal restraint. Even community partners who rely on public and private funding to achieve their mandate are feeling the effects of the downturn and are having to make difficult decisions about the scope of service they provide. This puts additional pressure on OPGT to address gaps in service, especially in situations where they act as legal representative and advocate for an individual.

At the same time as demand for service is increasing, OPGT client needs are becoming increasingly complex. Family structures are evolving, communities are more culturally diverse, and mental health issues are becoming common. OPGT staff require new tools, skills and support to navigate the situations they now encounter. Many of the individuals they assist access service or support from more than one ministry, such as Alberta Community and Social Services, Alberta Health, and Alberta Justice and Solicitor General, which underscores the need for collaboration not only within the wider community, but within government itself.

While meeting the demand for service today, OPGT is also looking to the future. Proactive efforts to encourage advance planning are an investment. When Albertans have a supported decision-making agreement, a personal directive, an enduring power of attorney and a will, the potential need for OPGT services decreases. More importantly, advance planning gives people the power to decide for themselves who will make decisions on their behalf if and when it's needed. It also places less stress on the family later if they need to make decisions for a loved one and proper authority is not already in place, ready to be enacted.

Despite these challenges, OPGT remains committed to providing excellent service to its clients. They believe all Albertans have a right to personal autonomy, to live with dignity and to achieve their potential. Their programs and services help make this possible for thousands of individuals who rely on them for support.

Outcomes, Key Strategies and Performance Measures

Outcome One: Albertans receive quality service designed to meet their needs.

OPGT knows first-hand that understanding client needs is the key to delivering quality service. It's reflected in their legislation, their day-to-day interactions with clients and their core processes – e.g. the capacity assessment process, the application review process, and the way OPGT manages the common fund so clients are paid interest at a rate higher than what a bank offers. Going forward, OPGT will focus on the following strategies to further enhance service delivery.

Key Strategies:

- 1.1 Review the intake decision-making process for guardianship services and all trusteeship services, and ensure consistency between regions.
- 1.2 Merge and consolidate guardianship and trusteeship processes where appropriate, tailored to meet regional needs.
- 1.3 Manage the common fund in a way that allows OPGT to pay interest to clients at a rate higher than what they would have earned with a similar savings account at a major Canadian bank.
- 1.4 Review the *Adult Guardianship and Trusteeship Act* regulations, which expire in September 2019, to streamline forms and processes.
- 1.5 Streamline the process for payment of funds and final review when the Public Trustee's authority is terminated under the *Adult Guardianship and Trusteeship Act* or under a Certificate of Incapacity.

- 1.6 Use contracted services to complete all investigations under the *Adult Guardianship and Trusteeship Act* and the *Personal Directives Act* in all regions.

Performance Measures:		Last Actual 2017-18	Target 2018-19	Target 2019-20	Target 2020-21
1.a	Percentage of service providers, private guardians, former official guardian minors and their parents who are satisfied with services provided by OPGT. (biennial survey) ¹	93%	NA	93%	NA
1.b	Percentage of service providers who believe the new Public Guardian and Trustee Representative (PGTR) role has improved their clients' quality of life. (biennial survey)	100%	NA	93% ²	NA
1.c	Percentage of OPGT clients paid interest rates at or above those stipulated by <i>Public Trustee Act</i> regulations.	100%	100%	100%	100%

Notes:

- ¹ Biennial survey results are available every second year. The next survey will take place in 2019-20.
- ² The target is lower than results achieved in 2017-18, when only Central region offered the Public Guardian and Trustee Representative role. The sample size was 11 service providers. Going forward, as new regions adopt the new role, the sample size is expected to grow. It may not be realistic to consistently achieve 100% satisfaction. A target of 93% was selected because it mirrors satisfaction results achieved in 1.a.

Linking Performance Measures to Outcomes:

1. a Satisfaction results provide an overall indicator of OPGT's ability to provide a level of service that meets the increasingly complex needs of the people they serve.
1. b The new Public Guardian and Trustee Representative role is designed to streamline and improve service delivery to clients.
1. c Paying interest at this rate is a reflection of OPGT's ability to meet its fiduciary responsibility and effectively manage the common fund.

Outcome Two: OPGT’s operating systems and processes support excellence and foster public trust.

When OPGT was formed, they made the decision not just to merge two separate programs but to create an organization designed to achieve excellence.

Key Strategies:

- 2.1 Operationalize the OPGT’s new risk-based quality management system and integrate it as standard practice.
- 2.2 Operationalize data mining for trust administration.
- 2.3 Implement standardized project management protocols for OPGT initiatives, where appropriate.
- 2.4 Select and implement IT solutions and business process changes to support improvement in OPGT operational capacity.
- 2.5 Develop and implement standardized policies, procedures and guidelines throughout OPGT.
- 2.6 Conduct an audit of current performance measures to determine and address data needs and gaps.

Performance Measures:		Last Actual 2017-18	Target 2018-19	Target 2019-20	Target 2020-21
2.a	Percentage of official guardian minors who are paid their funds within seven business days of receiving documentation.	66%	75%	78%	80%

Linking Performance Measures to Outcomes:

- 2. a The ability to achieve payment targets is an indicator of whether the operational systems that support this process are functioning at the desired level.

Outcome Three: Albertans have easy access to resources to help them make informed choices about personal and financial decisions in the future.

OPGT encourages all Albertans to consider the decisions that lie ahead. By preparing four important documents – a supported decision-making agreement, a personal directive, an enduring power of attorney, and a will – adults can choose someone they trust to make personal and financial decisions on their behalf if and when it’s needed. Similarly, OPGT encourages minors for whom the Public Trustee acts as trustee to make a financial plan in preparation for final receipt of funds held in trust on their behalf.

Key Strategies:

- 3.1 Create a public education strategy and capture measurable outcomes.
- 3.2 Support and expand current efforts to promote advance planning.

Performance Measures:		Last Actual 2017-18	Target 2018-19	Target 2019-20	Target 2020-21
3.a	Number of presentations delivered by OPGT on topics related to advance planning.	79	80	90	100
3.b	Number of individuals who attended a presentation by OPGT on topics related to advance planning.	2,004	2,100	2,200	2,300
3.c	Percentage of former official guardian minors who received financial planning resources from OPGT and found them useful. (biennial survey)	94%	NA	94% ¹	NA

Notes:

¹ The target is the same as last actual results because the number of people surveyed is expected to double in 2019-20.

Linking Performance Measures to Outcomes:

- 3. a Number of presentations is an indicator of the internal resources aligned with the promotion of advance planning.
- 3. b Number of individuals is an indicator of whether presentations are an effective way to reach Albertans.
- 3. c OPGT sends a brochure with financial planning resources to official guardian minors six months before they turn 18 and then again when they receive their final disbursement. Satisfaction with the resource is an indicator of whether it is effective.

RISKS TO ACHIEVING OUTCOMES

The following key risks to achieving OPGT outcomes have been identified:

- **Workload:** In an environment of fiscal restraint, OPGT’s caseload is growing, client files are increasingly complex and resources are diverted to the development of new initiatives.
- **Performance Measures:** OPGT is in the early stages of setting and refining outcome-based performance measures. With each year, they gain new insight into appropriate performance measures that they can influence, quantify and report on, and are making adjustments as required.
- **Aging workforce:** Of the 294 individuals employed by OPGT in March, 2018, 10.5 per cent (31 individuals) have 30 or more years of service. Retirements will present a challenge for OPGT, as departing staff have many years of knowledge and experience. It will take time and focussed effort to bring new staff up to speed as quickly as possible.