

# Public Trustee of Queensland

Fees and Charges

Integrity and Governance Framework

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Public Trustee

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## Purpose

The purpose of the Queensland Public Trustee Fees and Charges Integrity and Governance Framework is to provide an overview of how the organisation recognises the importance of fees and charges that are fair, reasonable and transparent.

This document outlines the framework used by the Public Trustee (QPT) as a self-funded organisation to manage and monitor fees and charges to ensure:

- they are fair, reasonable and transparent and in accordance with Queensland Government policy;
- they are consistently and accurately calculated and applied across QPT service lines;
- there are appropriate governance and review mechanisms to manage fees and charges;
- any systemic issues with fees and charges are mitigated;
- there are mechanisms to ensure fees and charges are consistently calculated and applied across our various service lines; and
- that complaints and concerns about fees and charges are managed efficiently and effectively throughout the organisation.

## Authorising environment

The *Financial Accountability Act 2009* (FAA) provides for accountability in the administration of the State's finances. QPT is a statutory body that is required to comply with the Act, which sets out reporting requirements and standards about financial and performance management.

QPT complies with the FAA by: providing audited annual financial statements and reports, and meeting requirements to ensure efficient, effective and economic operations; maintaining appropriate systems of internal control and risk; keeping funds and accounts compliant with requirements; and planning and budgeting appropriately.

In the context of the FAA, Queensland Government's [Principles for Fees and Charges](#) (Queensland Treasury, October 2021) provides agencies with broad guidelines on the setting of fees and charges. It includes general overarching principles, guidance and requirements for introducing new fees and charges, reviewing existing fees and charges, and Government's indexation policy.

These Queensland Government principles include: having regard to full cost recovery; subsidisation to achieve social welfare and equity; transparent and appropriate environmental or economic objects; beneficiary pays; efficiency; and where comparable to private sector, should be competitively neutral.

QPT is authorised by the *Public Trustee Act 1978* to charge fees for its services. The relevant provisions are as follows:

Section 17 provides that fees and charges must be reasonable having regard to the circumstances in which the service is provided, including the type and complexity of the service performed, and the degree of care, responsibility, skill or special knowledge required to perform the service.

Section 27(4) provides that the Public Trustee may charge and receive such fees and remuneration as are fixed under the Public Trustee Act, or if not fixed under the Act, as may be allowed by law, for acting in any capacity to which the Public Trustee may be appointed under the section.

Section 142 of the Act sets out that a regulation can be made that provides for the fixing of fees for legal, conveyancing, and other professional services rendered by the Public Trustee or the Public Trustee's officers to the public.

## QPT's Fees and Charges

QPT has five key principles, informed by Queensland Government policy, that underpin its management of fees and charges:



### Equitable

Fees and charges reflect a beneficiary pays principle, minimising cross-subsidisation between services or groups. They also acknowledge fairness and inclusion, recognising the diversity and complexity of QPT customers.



### Competitive

Fees and charges reflect the efficient costs of service delivery and positions the QPT as a competitive service provider against private sector alternatives and interstate public trustees, while complying with broader competitive neutrality principles.



### Sustainable

Fees and charges support the long-term financial sustainability of QPT operations, by reflecting, where appropriate, the full cost of delivering each key service category including direct and indirect costs, capital costs and margin/return, while also minimising the costs of administration and revenue collection.



### Accessible

Fees and charges support Queensland Government policy regarding the accessibility of essential financial protection, wealth management or advance life planning services to persons or groups, to realise enhanced community welfare outcomes.



### Transparent

Fees and charges are determined in accordance with a comprehensive and unambiguous structure, limiting complexity in the range of fees, their application and calculation, and these are readily available and accessible to customers and stakeholders.

Applying these principles, QPT's approach to the calculation of fees and charges are based on the following:

- Fees reflect the actual work involved in managing assets of an adult or acting as administrator
- Individual services are identified and costed
- An allowance is made for time spent on non-chargeable work such as administrative tasks or time spent on staff supervision/management that could not be directly attributed to a particular matter (based on similar fee structures utilised within legal and accounting practices)
- Fees and Charges contribute to the QPT's sustainability.

QPT fees increase annually in accordance with Queensland Treasury's *Principles for Fees and Charges* policy. Government determines the percentage by which fees for Government services, including QPT's, may be changed each year under this policy.

As required by s.17 of the Public Trustee Act, a notice fixing QPT's fees and charges is gazetted and publicly accessible.

QPT is committed to ensuring estimated fees or charges are as transparent and as accurate as possible. QPT's website [Fees and charges – The Public Trustee of Queensland \(pt.qld.gov.au\)](https://www.pt.qld.gov.au) contains an overview of its fees and charges and includes a number of tools and information to assist customers, including:

- Fees and Charges Ready Reckoner is a quick reference tool for fees and charges. This document also provides information regarding which services delivered by the QPT are included in the fees and charges and what services are not included
- Online estate administration fee estimator is a tool that estimates costs for deceased estate administration (from start to finish). It is provided as a guide for new clients only, noting actual fees may vary and are confirmed by contacting QPT.

When the specific details of a matter are known, the fee estimate may change.

## Monitoring and review framework for fixed fees and charges

QPT has a structured approach to regular monitoring of the gazetted fees and charges.

Fees and charges, and relevant processes and procedures, will be monitored, benchmarked and reviewed to ensure that:

- Each fee or charge continues to be appropriate, reasonable and aligned with QPT principles – Equitable, Competitive, Sustainable, Accessible, and Transparent
- Any changes to Government priorities, policy, legislation or service delivery arrangements that impact is assessed and actioned as necessary
- Fee and concession arrangements are relevant and necessary.

The structured approach includes governance and oversighting entities, planned cyclical reviews and benchmarking, quality assurance and internal compliance practices, and complaints processes.

## Oversight and governance entities

In addition to The Public Trustee of Queensland and CEO's responsibilities, QPT's fees and charges regime will be specifically oversighted and monitored by its Board of Management. This includes special, as well as a standing, agenda items at the Board of Management's meetings.

To ensure the Public Trustee can effectively perform its functions the Public Trustee Advisory and Monitoring Board, established under the *Public Trustee Act 1978*, will monitor, and review the performance of QPT's functions. It will monitor complaints, and provide advice and recommendations regarding improvements to policies, practices and services – this will also include consideration of fees and charges matters.

Other entities will also have a role in considering fees and charges as part of broader financial and risk considerations for QPT:

### Audit and Risk Management Committee (ARMC)

ARMC is an independent advisory body established to assist QPT in fulfilling the Accountable Officer's responsibilities under the *Financial Accountability Act 2009*, *Financial and Performance Management Standard 2009* and other relevant legislation.

ARMC operates under Terms of Reference established in accordance with Queensland Treasury's *Audit Committee Guidelines – Improving Accountability and Performance*. Membership comprises of three (3) external expert members. ARMC assists with reviewing the following that provide oversight of PTQ's fees and charges formulation and levying:

- financial statement preparation processes and oversight;
- risk management framework;
- fraud and corruption control framework;
- internal audit plans for endorsement; and
- actions from internal and external audit reviews

### Queensland Audit Office (QAO)

QAO provides an Independent Auditor's report on QPT's Financial Report. Its objectives are to obtain reasonable assurance about whether the Financial Report as a whole, is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes an opinion.

QAO attends QPT's Audit and Risk Management Committee (ARMC).

## Review cycles

QPT will undertake planned cyclical reviews of its fixed fees and charges, including:

- annual review;
- rolling benchmarking program (3-year cycle);
- comprehensive review, at least once every 5 years

### Annual Review

A detailed Activity Based Costing analysis will be undertaken by the end of each calendar year for each service line to determine the revenue earned from fees and charges compared with the cost of providing each service.

This will include consideration of:

- fees and charges principles
- alignment with fees and charges as gazetted
- compliance with relevant governance and risk policies and practices

Where a material difference arises between the cost and revenue associated with a particular service line, the QPT will take one or more of the following steps, where possible:

- Improve the operating model to better align services with reasonable fees and charges
- Adjust fees and charges to better reflect the cost of providing the service while minimising costs to customers
- Amend relevant practices and policies to ensure they are contemporary, consistent with regulatory requirements and reflect good practice

QPT will review how fees and charges are communicated to customers by:

- Ensuring that our customers have meaningful ways to access and understand our fees and charges
- Reviewing the information available to customers each year

### **Rolling Benchmarking Program (3-year cycle)**

QPT will undertake a rolling process of benchmarking fees and charges against comparable public and private sector providers where possible, such that each service line with truly comparable service providers is benchmarked at least once every three years.

QPT will take the benchmarking results into account in its annual fees and charges review as well as the more comprehensive reviews conducted.

### **Five Year Review**

At least once every five years, QPT will undertake a comprehensive and detailed review of its fees and charges methodology, including public consultation, to ensure it is appropriate and aligned with contemporary practices and the current Government policy.

## **Internal quality assurance and compliance**

Quality assurance practices include:

- reviewing complaints and fee write offs
- assisting with correction and prevention of financial and administrative errors
- ensuring sound administration of customer funds, including correct fee charging, management of financial transactions and appropriate application of rebates
- facilitating regional checking to engage with the business on high impact quality matters, such as accurate and timely financial administration.

Workforce capability development includes:

- empowering our workforce by supporting their capability development, through the provision of education, expert advice and coaching, relating to quality matters
- providing effective knowledge management and resources to staff on the frontline
- fostering a culture of ownership, participation, and responsiveness where all staff understand their individual and collective responsibility for quality processes and outcomes.

Continual improvement processes include:

- analysing and recommending opportunities for improvements across all aspects of the business, including, file administration and accounting practices, systems and controls that improve both the customer experience and mitigate the risk of financial or reputational loss.

## Quality assurance process

A quality assurance process is undertaken on a quarterly basis with a representative sample of customer accounts across all regions and service lines being assessed for compliance with QPT's policies and procedures.

The assurance process that relates to fees and charges is as follows:

- Fees charged align with gazetted fees
- Rebates applied as per policy and procedures
- Additional fees charged applied as per policy and procedures
- Assets are valued as per policy and procedures
- Actual fees charged align with quoted fees in relation to deceased estates and if they do not, the difference can be reasonably justified.

Reports compiled as a result of the Quality Assurance process are provided to Regional Managers and the respective Director. This report provides a list of observations including details of any inconsistencies and recommendations for remedial action.

A quarterly report for submission by the Executive Director, Client Experience and Delivery to the Audit Committee is compiled summarising the observations/systemic issues found during the regional assessments.

## Internal Audit

Internal Audit provides independent, objective assurance and consulting to improve the operational performance of QPT.

Internal Audit is autonomous and reports directly to the Public Trustee of Queensland, with oversight by the ARMC. Internal Audit has due regard to Queensland Treasury's Audit Committee Guidelines: Improving Accountability and Performance. Strong links with QAO provide the foundation for a collaborative audit approach to ensure optimal audit coverage across all areas of the organisation, including financial and compliance audits, operational and efficiency audits, information system audits, and investigations.

## Public Trustee Customer Service Officers

Our staff are trained to ensure fees and charges are invoiced correctly and fairly.

## Internal controls

Revenue from gazetted fees and charges will be confirmed to align with the gazettal notice by reviewing fees entered into QPT's Client Information Management System as a part of internal controls.

Where a discrepancy is detected between the gazettal notice and the rate or activity being charged, the discrepancy will be returned to the affected customer with immediate effect.



Any discrepancies will be investigated, and a recommendation provided to Board of Management whether gazetted fees and charges should be updated to reflect this activity.

## Human rights

The *Human Rights Act 2019* protects the human rights of every person in Queensland when they interact with the government, police, public hospitals, public schools and other organisations doing work for the Queensland Government. It places people first by making sure that the public sector considers human rights when they make decisions and deliver services.

Human rights protect the dignity and worth of all human beings regardless of background, what you look like, what you think, what you believe or any other status or characteristic. The *Human Rights Act 2019* requires The Public Trustee as a government corporation sole, and its employees, to consider human rights in all decision making and interactions with the community.

## Complaints processes

Individual circumstances may arise where the fees and charges are incorrectly applied or the correct application results in an unfair outcome. QPT provides avenues to customers and stakeholders to raise concerns and address issues.

### Public Trustee Initiated

Where a QPT staff member considers a fee or charge is being unfairly applied, they can refer the matter to the QACI team or use the internal complaints process to have fee or charge reviewed for fairness.

### Customer Initiated

Where a customer considers that a fee or charge has been incorrectly or unfairly applied, they may follow QPT's concerns and complaints process. QPT has a formal policy for dealing with concerns and complaints – see our [complaint management policy](#) and our [Resolving Complaints leaflet](#).

### Office of the Customer Advocate

The Office of the Customer Advocate (OCA) provides the customer with a voice inside QPT. The OCA focuses on advocacy and insight to deliver fair outcomes for QPT customers that align with community expectations.

The OCA has a customer support function that is available to use where customers are having difficulties with getting results through the usual communication pathways.

While the OCA does not take the place of the Trust Officer / customer relationship, the OCA may be able to assist in instances where the customer has experienced:

- unforeseen or exceptional circumstances and requires special care, support, or assistance to understand, or progress through, a QPT process
- requires a higher level of support that requires more one-on-one time than the usual staff member can provide (e.g., due to time constraints, difficulty of the customer to understand despite numerous attempts to explain)
- the customer is unable to be assisted through QPT's usual processes.

Referral to OCA is strictly voluntary and is not a required step in the complaints process.

At any time, customers may exercise their option to present their matter to an external agency for independent review.

### **Independent Review**

Where a customer considers QPT's complaints process did not deliver a fair result, a customer may make a complaint to the Queensland Ombudsman's office about the administrative processes of QPT.

The Ombudsman may investigate complaints about the actions and decisions of Queensland public agencies and their staff that may be unlawful, unreasonable, unfair, improperly discriminatory or otherwise wrong.

If a complaint is not resolved by communicating with QPT, the Queensland Ombudsman can be contacted:

Queensland Ombudsman  
GPO Box 3314  
BRISBANE QLD 4001

Telephone: (07) 3005 7000  
Toll Free (outside Brisbane): 1800 068 908  
Fax: (07) 3005 7067

Web: [www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)

## Annexure 1 – Roles and responsibilities

Role	Responsibility	Delivery Timeframe
Public Trustee of Queensland and CEO	Approve Fees and Charges related matters.	As Required
Board of Management	Monitor and endorse Fees and Charges related matters.	As Required
Executive Director Customer Experience and Delivery	Preparation of a report for submission to ARMC, summarising the observations/systemic issues found during the regional assessments.	Quarterly
Customer Experience and Delivery – frontline teams	Act as Subject Matter Experts regarding complex matters, reviewing the quality of work, providing targeted reporting that measures quality over time and develop resources that assist in delivery of a high-quality service to our customers.  Day-to-day monitoring of client files and financial statements and updating externally managed asset valuations.	Continuous - BAU Function
Quality Assurance and Continuous Improvement (QACI)	Preparation of reports summarising the observations/systemic issues found during the regional assessments to the Executive Director Customer Experience and Delivery.  Implement recommendations made through internal audits regarding trust accounting matters.  Assists audit and evaluation in data gathering and provision of technical advice.	Continuous - BAU Function
Governance and Risk Directorate	Governs the Fees and Charges Framework throughout the Public Trustee. Operational oversight of the one-year, three-year and five-year reviews.  Manages formal complaint processes.	In line with Fees and Charges Framework
Internal Audit	Independent, objective assurance and consulting to improve operational performance.	Continuous - BAU Function
Audit & Evaluation	Data review regarding enquiries received (help desk) and regional quality control assessments completed.	Continuous - BAU Function
People and Culture Directorate	Act as Subject Matter Experts regarding development of technical training resources.	Continuous - BAU Function
Information and Technology Services	Advise on system enhancements, and act as a subject matter expert during the development and testing of enhancements.	Continuous - BAU Function

Investment and Finance Services	Public Trustee managed products and ASX listed securities appropriately valued.	Continuous - BAU Function
Audit and Risk Management Committee (ARMC)	Independent advisory body established to assist QPT in fulfilling the Accountable Officer's responsibilities under the <i>Financial Accountability Act 2009</i> , Financial and Performance Management Standard 2009 and other relevant legislation.	Operates within the Terms of Reference
Queensland Audit Office (QAO)	Independent Auditors report on the Public Trustee's Financial Report.	Yearly