

Policy: Private Management – Private Manager’s Plan and Change in Estate

Purpose

This policy:

- provides information about the standards to be applied by NSW Trustee & Guardian to fulfil our obligations when assessing the Private Manager’s Plan and Change in Estate Form;
- provides an overview of the purpose of the Private Manager’s Plan and Change in Estate Form.
- ensures a standardisation of processes used by all staff and compliance within the existing regulatory framework.
- assists in managing risks to the managed persons estate by providing the standard review and assessment of work being received by NSW Trustee & Guardian and clarifying the requirements of the private manager.
- It further improves internal work efficiencies and the provision of customer service.

Policy statement

Private Manager’s Plan

- 1 The Private Manager’s Plan is submitted at the commencement of management and is ordinarily not required to be re-submitted unless a new manager is appointed.
- 2 The Private Manager’s Plan requires the Private Manager to submit detailed financial information on the managed person’s estate and includes proposals for ongoing or one-off expenses or income at the time of commencement of management such as payment of a refundable accommodation deposit (RAD), investment changes, sale / purchase / lease of real estate, engagement and or payment of carers, gifts, holiday etc.
- 3 The Client Service Officer will assess the Private Manager’s Plan including any completed proposals within the plan and acknowledge receipt of the documents.
- 4 If proposals have been completed and the Client Service Officer is satisfied that all requirements have been met by the Private Manager, the Client Service Officer will approve the proposals in line with the appropriate delegations or create a submission to the delegated officer for approval. The Private Manager will be notified of the decision within 21 days of receipt and will be given the opportunity to request a review of decision in accordance with the Internal Review of Decision Policy.
- 5 If the Private Manager’s Plan is incomplete or there are concerns in the management of the estate, the Client Service Officer will contact the Private Manager requesting further information / explanation.
- 6 Completion of a new [Private Manager’s Plan](#) may be required where for example a new Private Manager has been appointed to manage the estate.
- 7 The Private Manager may be required to complete a [Change in Estate Form](#) if a change in life events occurs after the [Private Manager’s Plan](#) has been assessed.

Change in Estate form

- 1 The [Change in Estate Form](#) requires completion by the Private Manager if one-off variation to expenses or income occur during the life of the management order.
- 2 The [Change in Estate Form](#) requires the Private Manager to submit various proposals for life events which the Private Manager is restricted to undertake based on the Directions and Authorities. Specific approval or consents to these life events assist NSW Trustee & Guardian to:
 - Manage the risk to the assets of the estate
 - Ensure the Private Manager has sought appropriate family and other interested parties’ views and that there is no conflict of interest in the proposal
 - Ensure the Private Manager has satisfied themselves that the proposal meets the continuing needs of the managed person
 - Ensure the Private Manager can demonstrate the proposal is affordable and does not put to risk the managed person’s lifestyle and welfare.
- 3 If the Client Service Officer is satisfied that all requirements have been met by the Private Manager, the Client Service Officer will approve the proposals in line with the appropriate delegations or create a submission to a delegated officer for approval. The Private Manager will be notified of the decision within 21 days of receipt and will be given the opportunity to request a review of decision in accordance with the Internal Review of Decision Policy.
- 4 If the [Change in Estate Form](#) is incomplete or there are concerns in the management of the estate, the Client Service Officer will contact the Private Manager requesting further information / explanation.

Scope

Private Management staff

Legislative context

[NSW Trustee and Guardian Act 2009](#)

Related resources

- [Private Manager’s Plan](#)
- [Change in Estate Form](#)

Definitions

Managed person means a customer of NSW Trustee & Guardian.

Private Manager means a person appointed by NCAT or the Supreme Court to manage another person’s estate.

RAD means refundable accommodation deposit, aged care accommodation bond

Document information

Title:	Private Management – Private Manager’s Plan and Change in Estate Policy
Owner:	Manager, Private Management
Approver:	Director, Trustee Services
Date of Effect:	13 August 2020