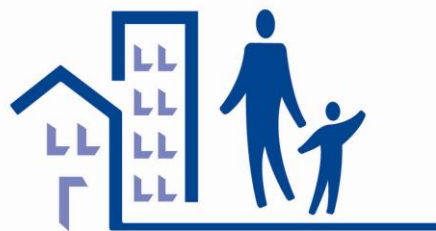


# SERVICE DELIVERY PLAN

2006/07 – 2008/09



PUBLIC GUARDIAN  
AND TRUSTEE OF  
BRITISH COLUMBIA

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**ACCOUNTABILITY STATEMENT AND APPROVAL LETTERS****Accountability Statement**

To: The Honourable Wally Oppal  
Attorney General

Pursuant to s. 22 (1) of the *Public Guardian and Trustee Act*, I have the honour of delivering the Service Delivery Plan for the Public Guardian and Trustee of British Columbia. The plan was originally submitted on December 29, 2005 and has been revised to include budget impacts since that date.

This plan covers the period April 1, 2006 to March 31, 2009. The plan was prepared under my direction and all material fiscal assumptions and policy decisions as of February 10, 2006 have been considered in preparing it. I am accountable for the basis on which the plan has been prepared. While minor editorial changes have been made to this plan as of this date, it has not been updated.

\_\_\_\_\_  
Public Guardian and Trustee of BC

February 5, 2007  
\_\_\_\_\_  
Date

To: Jay Chalke, Q.C.  
Public Guardian and Trustee

Pursuant to s. 22 (3) of the *Public Guardian and Trustee Act*, I approve the Service Delivery Plan for the Public Guardian and Trustee of British Columbia.

\_\_\_\_\_  
Attorney General

\_\_\_\_\_  
Date

Pursuant to s. 22 (3) of the *Public Guardian and Trustee Act*, the attached Service Delivery Plan for the Public Guardian and Trustee of British Columbia has been approved by Treasury Board.

\_\_\_\_\_  
Chair of Treasury Board

\_\_\_\_\_  
Date

### Message from the Public Guardian and Trustee

I am pleased to present the Service Delivery Plan of the Public Guardian and Trustee (PGT) for April 1, 2006, to March 31, 2009. This plan arises at a time, British Columbia's Great Goals for a Golden Decade have identified PGT core clients and responsibilities as an integral part of the Great Goals. The plan outlines the strategic directions that PGT will take as it moves forward with helping to achieve Great Goal 3, "Build the best system of support in Canada for persons with disabilities, those with special needs, children at risk and seniors", including the next phase of implementing a modern legal framework for protection of the most vulnerable British Columbians.

Five years ago, the province selectively proclaimed a package of legislation focused on initiating a new vision for seniors, disabled persons and children requiring assistance in decision-making. It transformed the historic role of this office and began to reweave the social safety network to provide needed protection and services in a context that allowed for maximum independence and self-sufficiency while recognizing that some people require additional support to meet their needs.

While it was recognized that the framework remained incomplete, particularly in some key legislative areas, it was acknowledged that implementation would require a major effort over time and should begin. Since the selective proclamation, PGT has worked extensively with clients, service partners and stakeholders to lay the foundation and develop the processes required to further implement the vision, which is itself consistent with the Great Goals. PGT accomplishments are both significant in the direction they have taken us while also modest in our service targets, reflecting the impact of resource constraints and challenges with our funding model.

PGT undertook extensive consultations in developing this service plan and the messages we heard were clear and consistent. We heard that PGT needs to spend more time with its service partners. We must help partners and stakeholders to understand their respective roles and responsibilities. We must advocate with government to address inconsistencies in our fees and strengthen our monitoring functions. We must build on recent improvements in timelines and individualization of service to seniors and persons with disabilities and must improve basic service to children and youth clients. And we must encourage continued law reform to rationalize the new framework and permit legal certainty as intended when the framework was originally developed.

This service plan supports PGT proposals to build on past successes and respond to concerns as we consolidate and move forward. Key elements will include an enhanced emphasis on public education and on developing and maintaining partnerships. Proposals will include options to address fiscal and service level implications of cross-subsidy between unrelated service lines and to respond to new child protection, seniors and other mandated initiatives. These activities will occur in the context of proposals to address our core funding model and allow PGT to play a more effective role in providing protective services on behalf of persons with disabilities, seniors, and children at risk.

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Jay Chalke, Q.C.  
Public Guardian and Trustee

February 5, 2007 (revised – originally submitted December 29, 2005 and resubmitted February 15, 2006)

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## I. OVERVIEW OF THE CORPORATION

### A. What is the Public Guardian and Trustee

The Public Guardian and Trustee (PGT) serves the most vulnerable British Columbians by providing and/or monitoring substitute financial and personal decision-making on their behalf. The majority of its clients are children, including those in continuing care of the Province, and seniors, developmentally disabled, mentally ill and brain injured adults whose mental or legal incapacity makes them vulnerable to abuse, neglect and self-neglect. It also administers estates of deceased persons and provides personal trust services. PGT responsibilities span the legal, financial, health and social services sectors.

### B. Governance

The organization is a corporation sole established under the *Public Guardian and Trustee Act*. Authority is vested in the Public Guardian and Trustee who is appointed by the Lieutenant-Governor in Council for a six-year term to ensure independence. The current office-holder is Jay Chalke who was appointed February 28, 2000. The PGT delegates authority to staff.

PGT is independent of government in its case-related decision-making responsibilities as fiduciary and exercises quasi-judicial authority in specific situations as a result of obligations created by statute. PGT reports to the Legislative Assembly through the Attorney General.

An Investment Advisory Committee of independent senior financial advisors is established by statute to monitor PGT investment performance and advise on strategic investment policy. An Executive Committee comprised of five directors and the Public Guardian and Trustee manages the organization.

With headquarters in Vancouver and regional offices in Victoria and Kelowna, PGT provides services through 214 funded employee positions to approximately 27,500 clients, manages close to \$600 million of trust assets and monitors approximately \$700 million of trust assets administered by Private Committees.

Under the *Public Guardian and Trustee Act*, PGT is subject to the most stringent public accountability provisions in the province. In addition to statutory requirements for annual independent financial audits of both its trust funds and its operating funds, PGT is required to have an independent annual audit of its performance report. PGT is the only public sector body in BC with this requirement. These accountability provisions reflect the inability of most PGT clients to speak for themselves.

### C. Legislation

PGT powers and duties derive from and are directed by both common law and numerous acts including the following key statutes:

- *Adult Guardianship Act*
- *Child, Family and Community Service Act*
- *Community Care and Assisted Living Act*
- *Employment Standards Act*
- *Estate Administration Act*
- *Estates of Missing Persons Act*
- *Family Relations Act*
- *Health Care (Consent) and Care Facility (Admission) Act*
- *Infants Act*
- *Insurance Act*
- *Insurance (Motor Vehicle) Act*
- *Patients Property Act*
- *Power of Attorney Act*
- *Public Guardian and Trustee Act*
- *Representation Agreement Act*
- *Trust and Settlement Variation Act*
- *Trustee Act*
- *Wills Variation Act*

### D. Funding Structure

PGT services are funded by a combination of fees and commissions based on client assets and income and supplementary funding from the Government of British Columbia for public services. The majority of funding is from fees for service.

Since the 2002 Core Services Review, PGT has been moving to a financial model in which services would be allocated on a rational and principled basis in which each specific PGT business line will become operated on one of three bases, including fully cost recovered, fully public funded and a blend of shared cost recovery and public funding. Cross-subsidization across business lines would be ended under this model.

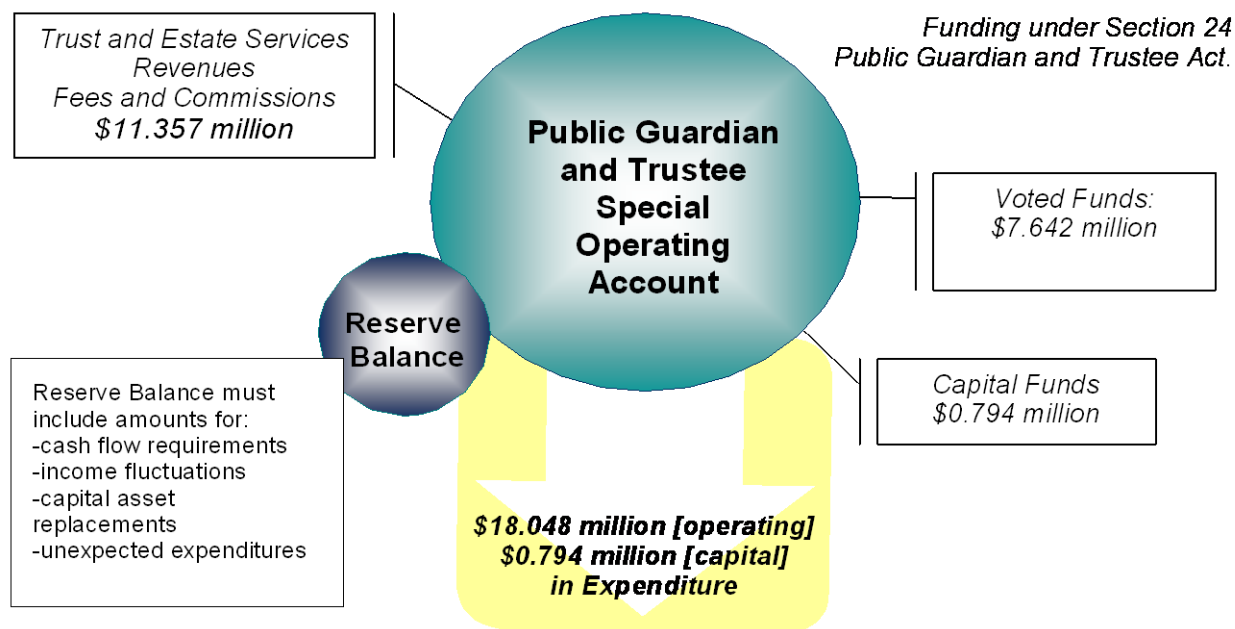
The existing PGT financial model has yet to reflect the values stated above as their implementation will have resource implications.

PGT is developing a proposal, intended to be presented to government in 2006/07, that will recommend adjustments to the PGT financial model along with related issues of resourcing and mandate to fully realize government's stated intention of building "the best system of support in Canada for persons with disabilities, special needs, children at risk and seniors" who comprise almost all PGT clients. As a result, this structure is subject to change.

The following chart identifies PGT funding sources.



### Financing Formula for 2005/06 (delegated)



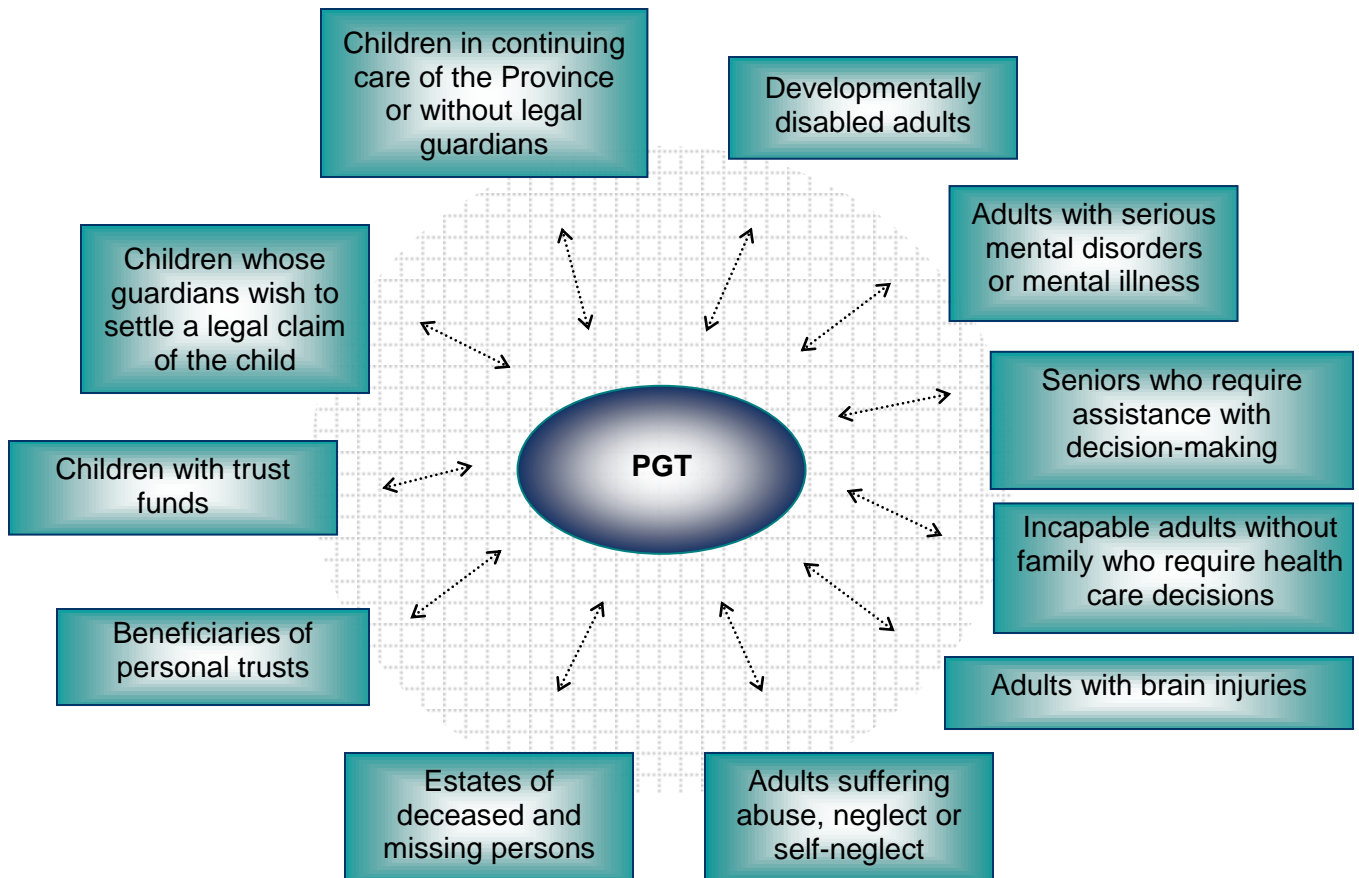
The fees and commissions to be charged by PGT in fiscal 2006/07 are based on the following percentages:

- Income Commission
  - 5% of income received
- Capital Commission
  - 5% of the value of assets/cash
  - 7% in estate administration (subject to a minimum commission of \$3,500)
- Asset Management Fee
  - 0.4 of 1% per annum on the gross value of all assets, computed monthly. This is charged on those assets for which a value can be reliably determined, e.g., cash, bonds, term deposits, debentures, real properties, segregated investment accounts, equities, investment fund units, and RRSPs.

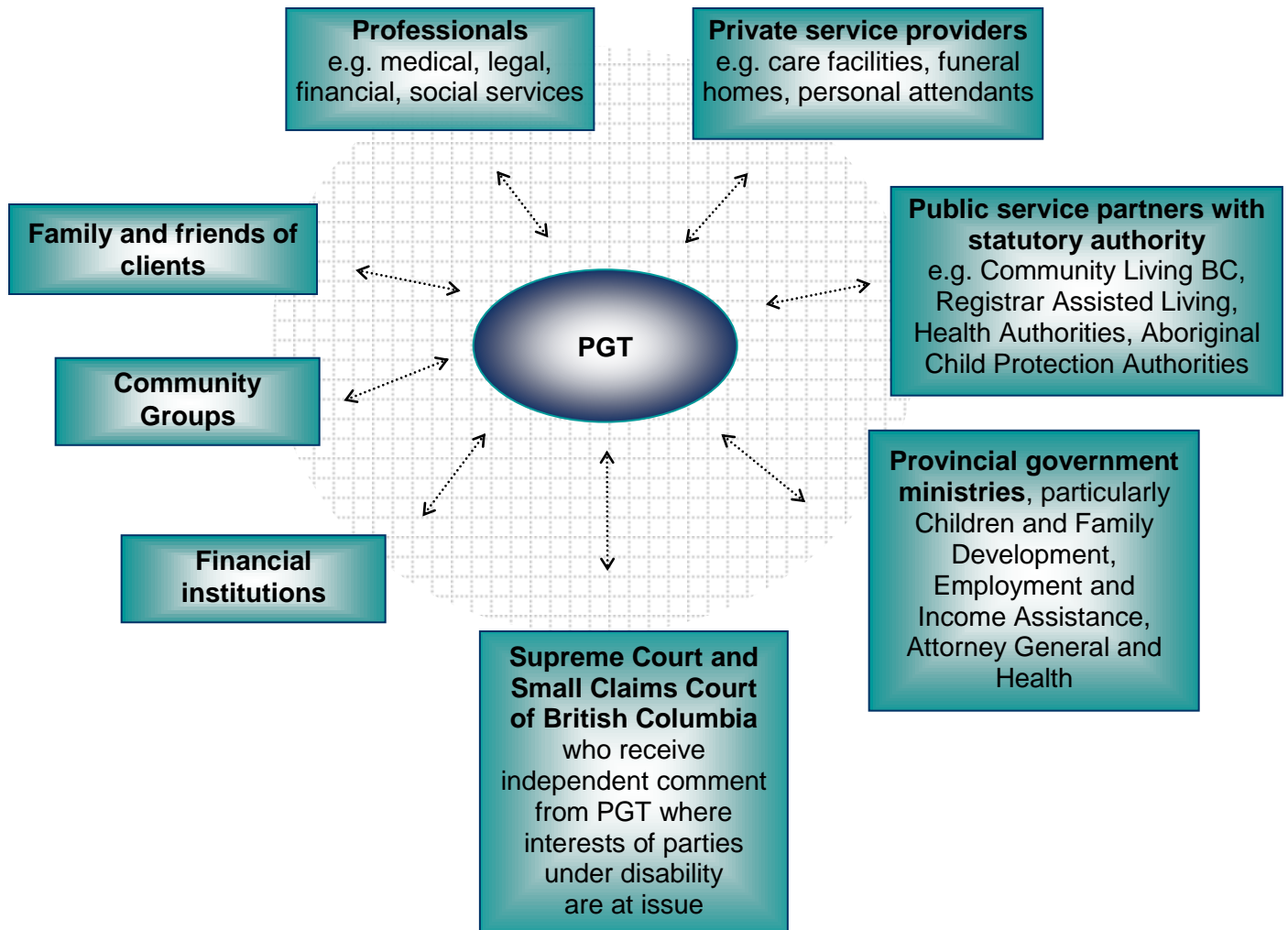
In addition, PGT charges certain hourly and fixed cost service fees. All PGT fees and commissions have been approved by the Lieutenant Governor-in-Council and are set out in the *Public Guardian and Trustee Fees Regulation (B.C. Reg. 312/2000, as amended)*.

Although not part of PGT revenue, third party charges for client-related services are also charged to clients.

**E. PGT Primary Client Groups**

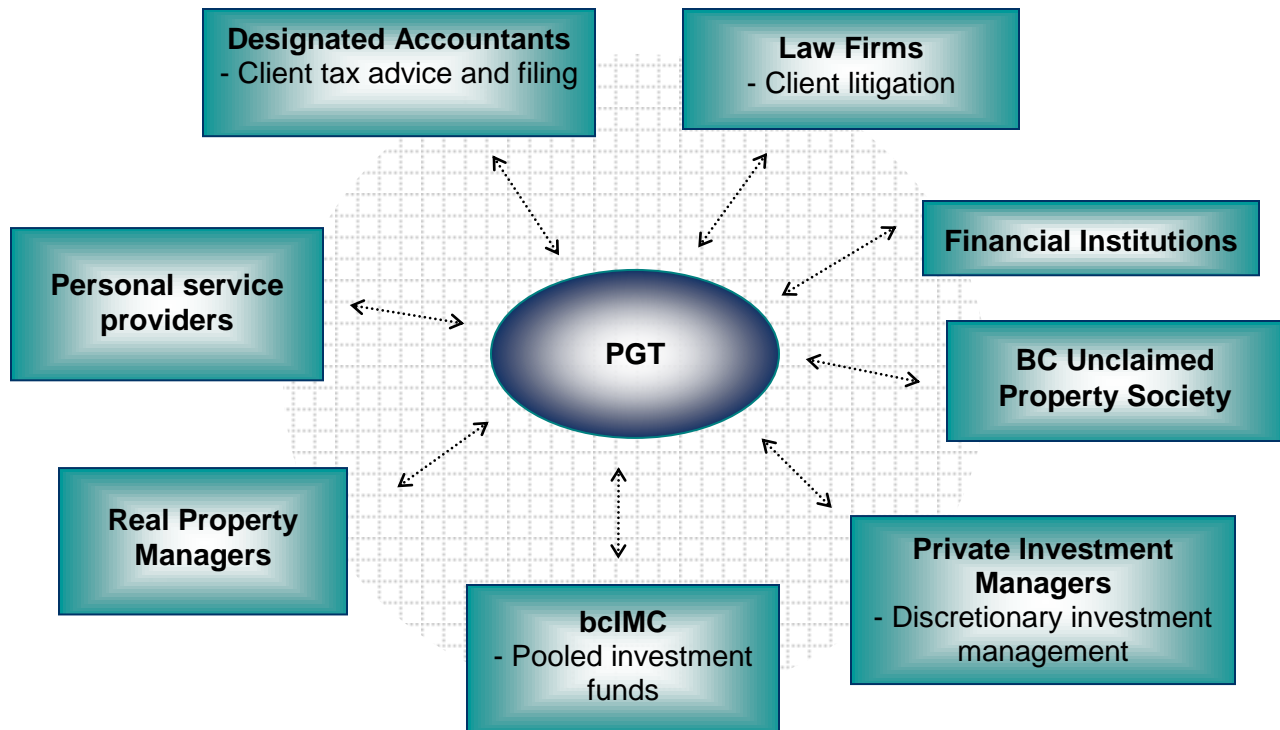


F. PGT Primary Stakeholder Groups



PGT liaises with and/or works in partnership with a broad range of individuals and organizations in helping clients meet their needs.

**G. Private Sector Relationships**



PGT works with a wide range of private sector service providers in meeting its responsibilities for protecting client personal, legal and financial interests.

## **II. PRIMARY LINES OF BUSINESS**

The Public Guardian and Trustee (PGT) is responsible for making or overseeing substitute decision-making on behalf of British Columbians who require assistance and/or protection because of legal disability. People become PGT clients through legislation, court order, trust deed and by referral. In order to carry out its duties and responsibilities, PGT daily operations are centred around the following primary lines of business:

### **A. Monitoring conduct of others to advance and protect people under legal disability**

PGT screens, investigates, monitors, takes protective measures and otherwise intervenes on behalf of people under legal disability or who may be at risk because of abuse, neglect or self-neglect. This is intended to ensure that their legal and property interests are protected. To accomplish this, PGT reviews various types of applications in legal proceedings, investigates allegations, reviews accounts of Private Committees, and appoints Designated Authorities to investigate possible abuse, neglect or self-neglect. Activities may include seeking incapacity assessments, providing comments to the Supreme Court of British Columbia, advancing litigation on behalf of minors, freezing accounts, removing authority from third parties and taking legal action. In carrying out these responsibilities, PGT seeks to ensure that the legal and property interests of people under legal disability or at risk are advanced and protected.

### **B. Administering property of children and mentally incapable adults**

A major PGT focus is on meeting its fiduciary obligations to protect and administer property on behalf of clients. This is intended to ensure that client needs are met, client property is protected, clients are enabled to access services and client wishes are met to the extent possible. To accomplish this, PGT secures, manages and disposes of assets. This may include physically securing property, determining and collecting income, paying bills, investing as a prudent investor and making disbursements for the benefit of the client. In planning and implementing these activities, PGT seeks to understand the client context and exercises professional discretion in making quality decisions.

### **C. Administering estates of deceased and missing persons**

PGT may act as executor or trustee, and as Official Administrator of BC, PGT administers estates of deceased and missing persons. This is intended to ensure efficient, orderly intergenerational transfers, reduced litigation and increased certainty for property obligations upon death. To accomplish this, PGT arranges funerals, traces heirs, submits tax returns and distributes estates. This may include applying for legal authority, documenting heirs, collecting and paying debts and distributing assets.

### **D. Making personal and health care decisions**

PGT acts as or appoints other substitute decision-makers to make personal and health care decisions on behalf of persons who are unable to do this themselves and who are without a supportive network. This is intended to ensure that client health and safety are protected, client well-being is promoted and client wishes are respected. To accomplish this, PGT arranges client access to services and shelter and participates in client

decision-making. This may include reviewing client needs, wishes, values, interests and developing individualized care plans. In carrying out these responsibilities, PGT seeks to ensure that decisions are made based on client needs, wishes, values and interests.

#### **E. Education and awareness**

PGT provides public information and education to manage the demand for PGT services, facilitate cooperation with service partners and stakeholders and to inform the public about related issues. This is intended to help professional groups to properly apply the law, assist service partners in understanding their responsibilities, encourage appropriate utilization of PGT services, deter financial abuse of incapable and vulnerable people and manage future demand for PGT service through increased personal planning for incapacity and death. To accomplish this, PGT communicates with clients, service partners, key stakeholders and the public. This may include publications, presentations, media releases, targeted mailings, websites and memoranda of understanding. In carrying out these responsibilities, PGT seeks to ensure that target groups are aware of their obligations, rights and consequences and that there is a growing awareness of PGT and its responsibilities. PGT has limited resources for these services and must balance speaking invitations and requests for materials with its capacity to respond. Stakeholder and staff consultations identified education and awareness as a major issue that affected their effectiveness.

#### **F. Advocacy**

PGT advocates for improved laws, policy and regulations in its responsibility areas and supports clients in accessing services and exercising their rights. This is intended to ensure that civil, personal and property interests of people under legal disability are protected. To accomplish this on a broader level, PGT liaises with government and other key stakeholders and prepares and publishes discussion papers. This may include analyzing emerging issues and requesting and making recommendations regarding policy and legislation. At a client level, this includes considerable liaison with service providers and may include legal action to pursue entitlements and other claims. In carrying out these responsibilities, PGT seeks to achieve implementation of systemic preventive policy and practice, ensure that decision-makers are aware of the impact of legislative changes and ensure that laws and policies in BC take the interests of people under legal disability into account.

### III. STRATEGIC CONTEXT

#### A. Vision

Rights, choices and security for all British Columbians.

#### B. Mission

To safeguard and uphold the legal and financial interests of children; manage the legal, financial and personal care interests of adults needing assistance in decision-making; and administer the estates of deceased and missing persons.

#### C. Values

Six major values underpin PGT work, support achieving the Great Goals and are reflected in all aspects of its performance:

- **Client-centred service**  
Clients are at the centre of PGT services and PGT strives to ensure that services are individualized, equitable and accessible.
- **Respect**  
In managing the personal and health care decision-making of adults who are unable to make these decisions themselves, PGT honours the principles of self-determination and autonomy.
- **Innovation**  
Staff members are encouraged to be innovative in designing support services that are the least restrictive and intrusive as possible. Court processes are used as a last resort.
- **Teamwork**  
PGT staff work in teamwork with one another and with their service partners in striving for seamless service delivery.
- **Openness**  
Annual public reporting on all aspects of PGT performance, as required by the *Public Guardian and Trustee Act*, ensures accountability and transparency to clients, government and the public.
- **Staff support**  
Staff members are acknowledged to be the greatest resource of PGT. Staff are recognized and appreciated for their expertise and professionalism as well as their teamwork and consultation skills. PGT is committed to ongoing development and training of all its staff members.

#### **IV. PLANNING CONTEXT AND KEY STRATEGIC ISSUES**

The *Public Guardian and Trustee Act* was proclaimed in 2000 as part of the adult guardianship legislation package that both transformed the office and introduced a new framework for protecting vulnerable people at risk because of mental impairment or legal disability. Over the past five years, PGT has reshaped its role and has developed and coordinated implementation of this framework in conjunction with its medical, social services, legal and financial sector partners.

At the same time, the service context for PGT clients has altered dramatically with reorganization of the province's health and social services sectors. The nature of PGT clients and responsibilities mean that it is heavily impacted by changes intended for other organizations or services.

PGT operates in an environment of capped expenditure levels and limited capacity to influence or buffer the impact of increased demand for services. Revenues are impacted directly by market conditions and rates of return on investments. Demand for services is related to demographics, availability of alternatives to PGT services, court decisions and the range of services provided and decisions made by other organizations.

Over time, the volume of public services delivered by PGT, such as those for children in continuing care, has steadily increased. These responsibilities have been largely unfunded. At the same time, PGT has been impacted by budget constraints. These factors have eroded the financial base of PGT.

##### **A. How have PGT clients changed**

Previously, adults usually became PGT clients when the director of a mental health facility such as Riverview or Woodlands certified them as incapable. Upon notification, PGT assumed responsibility for their assets and managed them with an emphasis on preservation until the clients were certified as capable or more likely, until their death. Most were long-term clients with limited and non-urgent demands on PGT because they lived in institutional settings where their basic needs were being met. This changed first with deinstitutionalization and then with broad legislative changes.

The adult guardianship framework today recognizes and respects the importance of both client independence to the extent possible and the value of community living. The health and social services sectors have been restructured to support maximum self-sufficiency for clients and efficiency and focus for service providers. PGT clients require advocacy, support and substitute decision-making to meet their needs for food, shelter, health care and other services in this restructured landscape.

The circumstances for becoming a PGT client are also very different now. The process is usually initiated when someone, such as family, neighbour or doctor advises PGT that a person may be vulnerable to abuse, neglect or self-neglect because of mental impairment. PGT investigates and may ask a health professional to assess the person's mental capability. If the adult's assets are at risk of misappropriation, PGT may freeze their assets or may involve Designated Authorities who are obliged to take other protective action.



**PLANNING CONTEXT AND KEY STRATEGIC ISSUES**

After review, PGT determines if the person will become a client and if so, under what conditions. These may range from making a single health care decision on their behalf to administering their finances to full personal and financial substitute decision-making. Increasingly, the adult caseload comprises seniors with complex financial needs such as debt management.

The child and youth workload has also been changing. PGT has approximately 17,500 minor clients of whom, more than 30 percent are in continuing care of the Province. These clients are involved in more litigation than previously. Further, more benefits are being received and administered on their behalf.

The changing nature of child and youth service partners impacts PGT workload. The devolution of parts of the Ministry of Children and Family Development into Community Living BC and Aboriginal Child Protection Agencies directly impacts PGT.

The client base associated with deceased estates continues to evolve both in response to legislation and to PGT priority activities. An amendment to the *Estate Administration Act* gave PGT authority to decline to administer estates where the cost of administration would be greater than the value of the estate. An extensive backlog reduction program has been showing results in lessening an historical backlog, inherited from County Official Administrators, that has impaired operational efficiency. PGT is evaluating the potential for promoting its estate and personal trust administration services on a cost recovery basis to persons with less than \$500,000 in capital who are no longer served by the existing providers of this service.

**B. Assumptions**

The 2006/07-2008/09 Service Delivery Plan has been developed based on a number of assumptions. These are:

1. General
  - Demographic changes will continue to increase demand for PGT services, particularly in the areas of services to seniors suffering from dementia and diseases of aging and a diverse and mobile population.
  - Public, client and stakeholder expectations about the nature, quality and service delivery mode of PGT services will continue to rise and evolve.
  - Challenges associated with providing service to PGT clients will continue to increase as the nature and availability of community supports evolves and the number of agencies with statutory authority increases.
  - Pressures for legal services on behalf of clients will continue to grow.
  - PGT responsibility areas, such as children in care, seniors and persons with disabilities, will continue to be high profile areas.
  - PGT information management services will continue to impair service delivery until they have been further upgraded.
  - Proposals to address the PGT core financial model are currently being developed.

**PLANNING CONTEXT AND KEY STRATEGIC ISSUES****2. Financial**

- A market adjustment of 13% to salaries under the BC Crown Counsel Agreement has been provided effective April 1, 2006.
- There is no provision included in expenditures for the potential impact of the BCGEU Master and Component Agreement changes.
- Benefits are increased to 25.6% beginning April 1, 2006 reflecting an increase in contribution rates based on the March 31, 2005 actuarial valuation report for the Public Service Pension Plan.
- A rate of return of 3.8% on clients' cash balances and investments has been applied when calculating revenues for 2006/07 (4.63% for 2007/08 and 5.25% for 2008/09).
- Projections assume status quo operations and financial profiles for the client base consistent with that of previous fiscal years – no allowance has been made for the financial impact of the proposal to address the new core funding model.
- Due to uncertainties surrounding the nature and timing of other legislative and policy changes (such as the BC Child and Youth Review and *Adult Guardianship Act* or reform of other incapacity planning laws), no allowance has been included for potential expenditure or revenue changes associated with these matters.
- Voted funds are provided in accordance with amounts established by the Ministry of the Attorney General in its 3-year Service Plan and have been reduced in 2006/07 by \$0.518M reflecting the net elimination of one-time funding provided in 2005/06 offset by an increase to cover the market adjustment and increased benefit costs.
- Voted funds are reduced an additional \$0.088M in 2007/08 reflecting PGT contributions to meet MAG budget targets.
- Reductions have been made in staffing, professional services and other operating expenses in order to maintain status quo service delivery.

**C. What PGT has achieved in the past year**

- Increased accessibility for clients and service partners through reorganizing adult services to support regional service delivery and opening a second PGT regional office in Kelowna; improvements in responding to special communications needs; redeveloping the PGT website; and initiating planning for Aboriginal and First Nations Services
- Supported clients by facilitating resolution of issues arising from the continued transfer of Riverview clients into community; continuing to advocate for improved tenure protection for adults living in assisted living; representing PGT clients in class action lawsuits and litigation such as the Woodlands and Eugenics cases; and working closely with Health Authorities in implementing their responsibilities as Designated Authorities
- Improved efficiency and effectiveness by continued development of a firm policy framework to support exercise of discretion and consistency; undertaking a

comprehensive review of our health care decisions processes to ensure the model is effective; developing service commitments for administration of estates of deceased persons; and enhancing risk management practices particularly with respect to management of client real properties

- Addressed ongoing issues by continued reduction of historic backlogs that have hampered our ability to achieve full cost recovery in the estates area; continued to work closely with a broad range of service and community partners in implementing the adult guardianship framework; and conducted preliminary research on the extent of financial abuse by fiduciaries and powers of attorney

#### **D. What are key challenges for PGT**

PGT is managing significant tension between constraints arising from its financial model and the growing need for client service associated with the changing nature of its client base, combined with the impact of provincial restructuring of the health and social service sectors. PGT clients do not have support networks and require assistance in accessing an increasingly complex social service environment in which service agencies deliver more narrowly focused ranges of services directed at clients with the ability to be self sufficient in identifying resources.

The current PGT funding model is not responsive to these changing needs. The share of public funding has not kept pace with the growth in PGT public services. The model's inflexibility also hampers PGT in responding effectively to surges in client demands. PGT is approximately 60% self-funded through a combination of fees and commissions charged on client income and assets. With approximately 70 percent of adult clients now receiving some form of income supplement, costs of services to them are met through cross-subsidization within and across business lines. Further, the cost of PGT acting as guardian of estate for children in continuing care is offset by fees imposed on children and youth trust funds.

Pressure on PGT legal services continues to grow with a significant increase in class actions and individual legal actions involving PGT clients. The new Rule 68 of the BC *Supreme Court Rules*, will require attendance by parties at case management and pretrial conferences rather than simply by counsel for the parties. Accordingly, where PGT is litigation guardian for a client, a designated PGT staff member will have to attend such conferences as the "client", which was not previously required. This will impact PGT in-house lawyers, outside counsel and case managers. PGT must also develop a strategy to protect the legal interests of children in continuing care following key Supreme Court of Canada decisions on liability in abuse cases.

PGT is involved in commenting on proposed legislation, implementing new legislation and making legislative proposals and will also continue to participate in responding to a range of accountability reviews such as the BC Child and Youth Review. It contributes to other public initiatives affecting PGT clients and responsibilities such as the Premier's Council on Aging and Seniors' Issues and inter-ministry work plans.

As a fiduciary that is subject to three independent audits annually, PGT experiences considerable impact from increasingly demanding auditor standards and processes associated with the post-Enron environment. Responding to these requirements places increased pressure on the limited PGT infrastructure capacity. This capacity is further stretched by responses to freedom of information requests, many of which involve large

files are extremely complex and are frequently appealed to the Information and Privacy Commissioner.

PGT service levels and associated targets are modest and have not been reduced in this plan to reflect the impact of continued status quo budgets combined with increasing demands for service. However, scheduled reduction in the PGT base budget to take effect in 2007/08 will negatively impact PGT capacity to maintain existing service levels. PGT has identified minimum service standards that reflect best practice and will be submitting a proposal that will provide for them to be met. Establishing these minimum standards is currently constrained by case loads and by the cross-subsidization issue as well as by expenditure levels.

The current legal framework for PGT activities remains a disjointed combination of modern legislation and statutes based on law from previous centuries. This has resulted in significant gaps and inconsistencies in the legislative framework. PGT has developed proposals to address many of these.

There has been considerable growth in the number of service partners with statutory authority, for example, Community Living BC, Assisted Living Registrar and delegated Aboriginal Child Protection Authorities. This results in an increased complexity associated with developing and managing relations with these organizations. On a related front, there is an increasing trend toward self management and self reliance in the delivery of health and social services. Where individuals by reason of disability and lack of family support are unable to meet this objective, there is an expectation that PGT will provide these supports.

#### **E. What strategies PGT proposes to follow**

The following strategic priorities have been developed in response to an analysis of the PGT planning context, its key strategic issues and results of extensive consultations. Implementing these strategic priorities will allow PGT to maintain its current service levels while beginning to move to a fairer and more sustainable service delivery model.

- Build more effective relations with service partners
- Develop a strong public education and information program
- Implement programming to prepare youth clients to receive their trust funds
- Improve effectiveness of monitoring of Private Committees
- Address inequities associated with PGT fees and financial model
- Propose a service model to achieve best practices in minimum service levels such as client visits.
- Increase awareness of the financial implications of elder abuse
- Enhance PGT's quality assurance framework
- Work with and respond to other agencies implementing initiatives to achieve the Great Goals

PGT resources are already fully committed to delivering necessary services to clients at existing service levels. Implementing even modest improvements will require additional resources. Changes to the PGT financial model will be required for most of these strategies to be implemented.

**STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES****V. STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES****A. Goals**

The six goals set out in this plan were adopted on an organization-wide basis beginning in 2002/03, are entirely consistent with the five Great Goals and remain valid today. These PGT goals are:

1. Property and financial interests of PGT clients will be well managed.
2. Personal interests of PGT clients will be protected.
3. Statutory protective and monitoring services will be delivered appropriately.
4. PGT will contribute to public awareness, policy development and law reform initiatives affecting its responsibility areas.
5. PGT will improve its ability to deliver effective quality services.
6. PGT will maintain a work environment that attracts, develops, values and empowers staff to deliver quality service.

**B. Objectives**

The objectives set out in the service delivery plan are linked to these goals with some specific to particular program areas and others applying to the organization as a whole.

Many of the objectives are related to timeliness of service delivery. PGT is continuing to address and make progress in two client service areas where historical backlogs, while diminishing, still remain, Estate Liaison and Estate Administration.

PGT is in the process of transitioning to more outcome-based performance measures over the next number of years. It is also making efforts to reduce the number of measures to better meet the BC Performance Reporting Principles of focusing on the “few, critical aspects of performance” while still satisfying its specific statutory requirement of detailing performance targets and other measures for “each program area” (*Public Guardian and Trustee Act*, s. 22(2)).

**C. Benchmarks**

PGT is a unique organization without private sector comparability and limited comparability to public bodies in British Columbia and other jurisdictions. Because of its responsibilities, mix of services and unique legal status, its access to generally accepted service standards is limited. While similar agencies in other provinces each have some responsibilities and services or elements of them in common, none have the same mix or authorities. The PGT has initiated discussions through the National Association of Public Trustees and Guardians to develop a limited range of benchmarks for possible use at the national level.

PGT currently uses external benchmarks in relation to investment returns earned by the pooled investment funds it has established on behalf of clients. PGT is piloting estate administration service commitments that are based on private sector best practices. In other areas, PGT is able to make comparisons to its own past performance using information reported in its annual reports.

**STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES****D. Performance Measures****Goal #1:****PROPERTY AND FINANCIAL INTERESTS OF PGT CLIENTS WILL BE WELL MANAGED.****Objectives:**

- Disbursements from children's trusts will be made in a timely manner.
- Legal, financial and property interests and assets of clients will be identified, secured and managed in a timely and prudent manner.
- Assets of client estates will be identified, secured and administered in a timely manner.
- Estate distributions will be made to heirs and beneficiaries.
- Client investments will be handled prudently.

Performance Measures	Targets				
	04/05 Actual	05/06 Forecast	2006/07	2007/08	2008/09
1. Percentage of disbursements from children's trusts completed within 15 days of request by the guardian or client	96%	90%	90%	90%	90%
2. Percentage of child and youth guardianship clients where financial entitlements and legal claims are identified by PGT and acted upon within 60 days of being notified	97%	95%	95%	95%	95%
3. Percentage of personalized case plans, covering property, effects, legal issues and living arrangements that will be developed and implemented for new adult clients within six months of PGT appointment as Committee of Estate	84%	70%	70%	70%	70%
4. Percentage of client trust receipts processed within five business days	97%	85%	90%	95%	95%
5. Percentage of client disbursements processed within 15 business days	96%	95%	95%	95%	95%

**STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES**

Performance Measures	Targets				
	04/05 Actual	05/06 Forecast	2006/07	2007/08	2008/09
6. Physical assets of new deceased estates secured within 15 days of notification of death in 75% of estates and within 25 days in 90% of estates	91% within 15 days/ 98% within 25 days	75% within 15 days/ 90% within 25 days	75% within 15 days/ 90% within 25 days	75% within 15 days/ 90% within 25 days	75% within 15 days/ 90% within 25 days
7. Percentage of Estate Liaison files where more than two years have elapsed following termination of active committee ship	17%	25%	20%	20%	20%
8. Percentage of deceased estate funds distributed to heirs and beneficiaries rather than transferred to the BC Unclaimed Property Society	87%	75%	75%	75%	75%
9. Investment returns for all three pooled funds match or exceed established benchmarks	83%	Match or exceed esta- blished bench- marks	Match or exceed esta- blished bench- marks	Match or exceed esta- blished bench- marks	Match or exceed esta- blished bench- marks
10. Personalized investment plans developed and implemented for clients with financial assets over \$50,000	98%	95%	95%	95%	95%
11. Investment plans subject to review according to the assessed level of risk associated with the client investment portfolio will be completed within the year	98%	95%	95%	95%	95%



**STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES**

<b>Goal #2: PERSONAL INTERESTS OF PGT CLIENTS WILL BE PROTECTED.</b>					
<b>Objectives:</b>					
<ul style="list-style-type: none"> <li>The personal needs of children and youth clients will be protected.</li> <li>The personal interests and health care needs of adult clients will be addressed.</li> </ul>					
<b>Performance Measures</b>	<b>Targets</b>				
	<b>04/05 Actual</b>	<b>05/06 Forecast</b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09</b>
1. Personalized expenditure plans will be developed and implemented for children awarded in excess of \$50,000 for cost of care within six months of the PGT receiving funds and then annually reviewed	65%	85%	90%	95%	95%
2. Personalized expenditure plans will be developed and implemented for children and youth with assets in excess of \$50,000 where on-going assistance with day-to-day maintenance has been approved within 20 days of receiving all decision-making information and then annually reviewed	65%	85%	90%	95%	95%
3. Percentage of Committee of Person adult clients who are annually visited by PGT staff	99%	80%	85%	90%	95%
4. Percentage of major health care substitute decisions for adults made within three working days of all relevant information being received	99%	85%	90%	95%	95%



## STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES

**Goal #3:  
STATUTORY PROTECTIVE AND MONITORING SERVICES WILL BE DELIVERED IN  
AN APPROPRIATE, TIMELY AND FAIR MANNER.**

**Objectives:**

- Settlement reviews of legal claims of children and youth will be carried out in a timely manner.
- PGT will act to protect the assets of adults at risk for abuse, neglect and self-neglect.

Performance Measures	Targets				
	04/05 Actual	05/06 Forecast	2006/07	2007/08	2008/09
1. Percentage of proposed settlements \$5,000 and over that are reviewed and the parties advised of the PGT position within 60 days once all relevant information has been received	98%	90%	90%	90%	90%
2. For settlements under \$5,000, the average number of days to review and advise of the PGT position regarding proposed settlements once all relevant information has been received	9.2 days	20 days	20 days	20 days	20 days
3. Percentage of stakeholders reporting satisfaction with the PGT process for making recommendations on unliquidated damage claims	NA	75%	75%	75%	75%
4. Percentage of cases where, on confirming that the assets of an apparently abused or neglected adult unable to seek support and assistance are at significant risk and in need of immediate protection, protective steps are taken under s. 19 of the <i>Public Guardian and Trustee Act</i> within one working day	96%	90%	90%	90%	90%
5. Percentage of financial reviews of Private Committee high risk client situations initiated within 60 days of receipt	85%	75%	80%	80%	80%

**STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES**

Performance Measures	Targets				
	04/05 Actual	05/06 Forecast	2006/07	2007/08	2008/09
6. Average age of Private Committee accounts that have been submitted for passing and are awaiting PGT decision	7 months	6 months	6 months	6 months	6 months

**STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES**

<b>Goal #4: PGT WILL CONTRIBUTE TO PUBLIC AWARENESS, POLICY ISSUES AND LAW REFORM INITIATIVES TO PROMOTE THE INTERESTS OF CLIENTS.</b>					
<b>Objectives:</b>					
<ul style="list-style-type: none"> <li>PGT will make relevant, useful and affordable recommendations to government for law reform affecting clients.</li> <li>PGT will promote an understanding of its role among clients, stakeholders and the public.</li> </ul>					
<b>Performance Measures</b>	<b>Targets</b>				
	<b>04/05 Actual</b>	<b>05/06 Forecast</b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09</b>
1. PGT will provide recommendations to the Premier's Council of Aging and Seniors' Issues on priority areas of law reform affecting vulnerable seniors.	NA	Proposals issued	Report submitted	NA	NA
2. PGT role explained by PGT representatives at 50 stakeholder conferences/events and other public education forums	73	50	50	50	50
3. Education program developed and implemented to improve legal and financial outcomes for child and youth guardianship clients preparing for independence	NA	Program developed	NA	Implementation begins	Full implementation

**STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES**

**Goal #5:  
THE PGT WILL IMPROVE ITS ABILITY TO DELIVER EFFECTIVE AND EFFICIENT SERVICES TO CLIENTS.**

**Objectives:**

- The PGT will meet client expectations for quality, equitable and accessible services.

Performance Measures	Targets				
	04/05 Actual	05/06 Forecast	2006/07	2007/08	2008/09
1. Percentage of heirs and beneficiaries responding to survey who rated administration services for deceased estates as good or very good	83%	75%	75%	75%	75%
2. Implement and meet service commitments for administration of deceased estates	Commitments drafted	Being piloted	Being piloted	75%	75%

**STRATEGIC GOALS, OBJECTIVES, STRATEGIES AND PERFORMANCE MEASURES**

**Goal #6:**  
**PGT WILL MAINTAIN A WORK ENVIRONMENT THAT ATTRACTS, DEVELOPS, VALUES AND EMPOWERS STAFF TO DELIVER QUALITY SERVICE.**

**Objectives:**

- PGT recognizes, rewards and values its employees and fosters an environment of continuous individual and organizational learning.
- Mission critical information technology systems and processes will support PGT business activities.

Performance measures	Targets				
	04/05 Actual	05/06 Forecast	2006/07	2007/08	2008/09
1. Average number of training days per year per FTE	4 days	2 days	2 days	2 days	2 days
2. Percentage of staff and supervisors who believe that they have the necessary training to do their current work well	85%	75%	80%	80%	80%
3. Implement case management system in phases	Business processes clarified	RFP prepared by March 31/06	Vendor or developer selected by March 31/07	Implementation commenced by March 31/08	Implementation continues

**RELATIONSHIP TO PROVINCIAL GOVERNMENT STRATEGIC PLAN****VI. RELATIONSHIP TO PROVINCIAL GOVERNMENT STRATEGIC PLAN**

PGT duties and responsibilities are in full alignment with the Province's five Great Goals announced in 2005 and particularly with goal three:

- Build the best system of support in Canada for persons with disabilities, special needs, children at risk and seniors.

In addition, PGT responsibilities especially support goal two:

- Make BC a model for healthy living and physical fitness.

PGT clients comprise persons with developmental disabilities, children at risk and seniors. PGT is committed to assisting clients to have the best quality of life they can and to act in accordance with client wishes where possible. It encourages maximum self-sufficiency and strives for minimal intervention consistent with the need for protection.

In planning and delivering services to existing clients, PGT works cooperatively with both clients and their friends and families and a broad range of community groups and service providers. These include other organizations with statutory authority such as the Assisted Living Registrar, Community Living BC and Health Authorities.

PGT also works to minimize future demand and facilitate continued independence by encouraging capable individuals to pre-plan in a responsible manner for possible incapacity and death through creating powers of attorney, representation agreements, wills and other legal instruments. PGT's cost-recoverable personal trust services offer an option for those no longer served by the market. These demand management activities include both public education activity and research and analysis regarding options for an effective pre-planning policy and legislative framework.

PGT has already been engaged with the chair of the Premier's Council on Aging and Senior's Issues and is anticipating future involvement with the Council's work. It is also engaged with the BC Child and Youth Review.

PGT activities and planning are also consistent with continued implementation of the Core Services Review. This includes developing a financial model to end cross-subsidization across business lines.

However, while the PGT mandate is fully aligned with the five Great Goals, PGT resourcing is unable to support fully achieving the "best system of support in Canada" for PGT clients. PGT is developing a proposal to fully realize this goal including adjustments to public resourcing. As a result, the out years of this Service Delivery Plan (2007/08 and 2008/09) are subject to change.

**SUMMARY FINANCIAL OUTLOOK****VII. SUMMARY FINANCIAL OUTLOOK****A. Operating Cost Projections for 2006/07 through 2008/09**

Program <sup>1</sup>	2006/07		Net
	Operating Revenue	Operating Expenditure	
<i>All amounts are quoted in thousands of dollars</i>			
<i>Trust and Estate Services</i> <sup>2</sup>			
Services to Adults	6,650	8,418	(1,768)
Estate and Personal Trust <sup>3</sup>	2,406	3,154	(748)
Child and Youth Services	2,427	1,650	777
<i>Public Services</i> <sup>4</sup>			
Services to Adults			
- Assessment & Investigation	0	747	(747)
- Committee of Person	0	204	(204)
- Private Committee Services	500	1,172	(672)
- Health Care Decisions	0	677	(677)
- Public Education	0	389	(389)
Child and Youth Services			
- Guardian for Children in Care	112	1,124	(1,012)
- Infant Settlement Reviews & other legal	500	1,096	(596)
- Notices	277	461	(184)
Voted Funding			7,124
Revenue in excess of expenditure			904
Projected permanent FTEs			214

*Rounding differences may be present*

<sup>1</sup> Costs of central services that cannot be directly charged to a program area are allocated as follows:

- Executive Office including Planning, Community Liaison and Communications charged as an equal percentage to each area.
- Financial services including investment charged to program areas based on a percentage of transactions generated.
- Administration and Corporate Financial Services charged to program areas based on a percentage of staffing.

<sup>2</sup> Trust and Estate Services include Client Services and Estate Liaison in Services to Adults; Estate and Personal Trust Services and Trust Services in Child and Youth.

<sup>3</sup> Estate and Personal Trust Services include a backlog of non-fee generating accounts transferred from County Administrators

<sup>4</sup> Public Services include Adult Guardianship [Health Care Consent, Community Liaison, and response to Abuse and Neglect], Assessment and Investigation and Private Committee Services in Services to Adults; and guardianship to children in care, infant settlements and other legal reviews in Child and Youth Services.

**SUMMARY FINANCIAL OUTLOOK**

Program	2007/08			2008/09		
	Operating Revenue	Operating Expenditure	Net	Operating Revenue	Operating Expenditure	Net
<i>All amounts are quoted in thousands of dollars</i>						
<i>Trust and Estate Services</i>						
Services to Adults	6,650	8,499	(1,849)	6,605	8,545	(1,940)
Estate and Personal Trust	2,560	3,189	(629)	2,703	3,226	(523)
Child and Youth Services	2,573	1,691	882	2,565	1,723	842
<i>Public Services</i>						
Services to Adults						
- Assessment & Investigation	0	752	(752)	0	755	(755)
- Committee of Person	0	204	(204)	0	204	(204)
- Private Committee Services	500	1,181	(681)	500	1,185	(685)
- Health Care Decisions	0	682	(682)	0	684	(684)
- Public Education	0	407	(407)	0	407	(407)
Child and Youth Services						
- Guardian for Children in Care	112	1,136	(1,024)	112	1,142	(1,030)
- Infant Settlement Reviews & other legal	500	1,108	(608)	500	1,114	(614)
- Notices	277	465	(188)	325	467	(142)
Voted Funding			7,046			7,046
Revenue in excess of expenditure			904			904
Projected permanent FTEs			214			214



**SUMMARY FINANCIAL OUTLOOK****B. Special Account Summary**

	Public Accounts	Delegated Budget	Service Delivery Plan		
	2004/05	2005/06	2006/07	2007/08	2008/09
<b>Special Account equity beginning balance</b>	<b>\$12,422</b>	<b>\$13,518</b>	<b>\$14,469</b>	<b>\$15,373</b>	<b>\$16,277</b>
Total self-generated and voted funding	18,411	18,999	18,481	18,403	18,403
Total Operating Expenditure	17,315	18,048	17,577	17,499	17,499
<i>Excess of revenue over expenditure</i>	1,096	951	904	904	904
Capital expenditure	918	794	1,024	1,024	784
Adjustment for capitalization of assets	(918)	(794)	(1,024)	(1,024)	(784)
	0	0	0	0	0
<b>Special Account Equity Ending Balance</b>	<b>\$13,518</b>	<b>\$14,469</b>	<b>\$15,373</b>	<b>\$16,277</b>	<b>\$17,181</b>

**VIII. CONTACT INFORMATION****Locations:**

## Vancouver Office

Suite 700 – 808 West Hastings Street, Vancouver, British Columbia, V6C 3L3

Telephone: (604) 660-4444, Fax: (604) 660-0374

## Vancouver Island Regional Office

4<sup>th</sup> Floor – 1019 Wharf Street, PO Box 9251, Victoria, British Columbia, V8W 9J2

Telephone: (250) 356-8160, Fax: (250) 356-7442

## Interior-North Regional Office

1345 St. Paul Street, Kelowna, British Columbia, V1Y 2E2

Telephone: (250) 712-7576, Fax: (250) 712-7578

Toll-free calling is available by dialing Enquiry BC and asking to be transferred to the Public Guardian and Trustee. From the Lower Mainland, call Enquiry BC at 604-660-2421, from the Victoria area call 387-6121 and from anywhere outside of the Lower Mainland or Victoria areas, call the toll-free number 1-800-663-7867

**For information:**

Visit [www.trustee.bc.ca](http://www.trustee.bc.ca) for information about Public Guardian and Trustee services, reports and public education materials.

Telephone (604) 660-4444 or E-mail: [mail@trustee.bc.ca](mailto:mail@trustee.bc.ca) for general inquiries.