



PUBLIC GUARDIAN
AND TRUSTEE OF
BRITISH COLUMBIA

Service Delivery Plan

April 1, 2018 - March 31, 2021



December 21, 2017

(Updated on February 2, 2018 to align with Budget 2018 allocations to the Public Guardian and Trustee)

Transmittal and Approval Letters

To: The Honourable David Eby, Q.C.
Attorney General

I have the honour of delivering this Service Delivery Plan for the Public Guardian and Trustee in accordance with the provisions of s. 22 (4) of the *Public Guardian and Trustee Act*.

This plan covers the period April 1, 2018 to March 31, 2021. It has been prepared under my direction and all material fiscal assumptions and policy decisions as of December 21, 2017 and updated on February 2, 2018 have been considered in preparing it. The plan was updated on February 2, 2018 to align with Budget 2018 allocations to the Public Guardian and Trustee. I am accountable for the basis on which the plan has been prepared.

Catherine M. Romanko
Public Guardian and Trustee

Date

To: Catherine M. Romanko
Public Guardian and Trustee

Pursuant to s. 22 (1) of the *Public Guardian and Trustee Act*, I approve the Service Delivery Plan 2018-2021 for the Public Guardian and Trustee.

Attorney General

Date

Pursuant to s. 22 (3) of the *Public Guardian and Trustee Act*, the attached Service Delivery Plan 2018-2021 for the Public Guardian and Trustee has been approved by Treasury Board.

Chair of Treasury Board

Date

During the period of this service delivery plan, the Public Guardian and Trustee (PGT) will continue to act on its multiyear strategy to modernize information technology systems and to redesign internal processes so that service delivery is responsive to the needs of clients today and in the future.

The PGT serves 26,700 clients including some of British Columbia's most vulnerable citizens. In providing oversight or in acting as a fiduciary, the PGT manages sensitive legal, financial, personal and health care matters for clients and administers almost a billion dollars in private assets. Managing these complex client matters effectively is made more challenging by the fact that the PGT has for years operated from within a heavily paper based environment supported by outdated and unsustainable information technology systems.

The PGT designed its strategic plan to address this challenge. Based on feedback from clients and service partners and on the results of an organization effectiveness review, the PGT identified key opportunities for change related to systems, internal processes, staff training and external communications.

The first phase of the plan was implemented last year with the development and introduction of a modern trust accounting system enabled by the provision of government funding. The new system was integrated with an enhanced case management system to provide more efficient access to critical client information. At the same time, the PGT created two new specialized teams to streamline processes related to securing client assets and carrying out client financial transactions. Together these significant changes are expected to mitigate the risk associated with legacy systems and management of financial assets and provide a solid foundation for continued development of client service.

Under this service delivery plan and subject to the continued provision of capital funding, the PGT will carry out the ground work to acquire and implement a document management system with the objective of creating efficiencies and improving privacy protection and access to client information. At a later stage, the PGT plans to introduce digital self-service options for clients to access their own PGT related information in appropriate circumstances.

Effective recruiting and retaining of skilled staff and building their capacity to deliver high quality client service will continue to be a priority. The increasing complexity of substitute decision making for vulnerable clients and of managing client financial assets and estates demands that appropriate and continuous skills and knowledge training be provided to staff. To this end, the PGT will continue to expand its in person and eLearning training and education programs focusing on substantive knowledge based education and role based training. The PGT will also continue to develop a comprehensive succession plan for critical staff positions to minimize the impact on client service of retiring or departing experienced employees.

Legislation creating new statutory duties for the PGT may come into force during the period covered by this service plan in the area of care facility admission. The PGT will continue to work with the Ministries of Health and Attorney General to prepare for this potential legislative change which will create new duties for the PGT related to rights protections to vulnerable adults entering long term care.

As in previous years, the PGT will continue to advocate for law reform which may serve to protect the interests of PGT clients. In this regard, the PGT will continue to collaborate with service partners and government representatives to propose the creation of a statutory definition of public property guardianship to clarify the duties and authority of the PGT as property guardian for children in continuing care. The PGT will also advocate for the authority to offer continued trustee services to youth transitioning out of care with the objective of protecting any financial assets these youth may have until they are better equipped to assume the responsibility of managing their own affairs.

As always, the PGT will strive to fulfill its statutory mandate by meeting or exceeding its 18 publicly reported performance targets representing each program area.

I look forward to acting on the opportunities laid out in this service plan to build the capacity of the PGT as an organization to serve our clients well.

Catherine M. Romanko
Public Guardian and Trustee

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The Public Guardian and Trustee (PGT) serves vulnerable British Columbians by providing substitute financial, legal and personal decision making services. The PGT also monitors the financial, legal and in some cases, personal decision making of other substitute decision makers. The majority of PGT clients are children (including those in continuing care of the province) and adults, whose legal or mental incapacity makes them unable to protect their own legal and financial interests. The PGT also administers estates of deceased and missing persons as well as personal trusts. PGT responsibilities span the legal, financial, health and social services sectors.

The PGT currently has 263 base full time equivalent employee positions. It served approximately 26,700 clients and administered approximately \$974 million of client assets as at March 31, 2017. The PGT delivers service from offices in Vancouver, Victoria and Kelowna.

● **Child and Youth Services**

Provides trust services; as property guardian, pursues financial entitlements, reviews critical incident reports and protects legal interests of children in continuing care; protects legal and financial interests of minors through reviews of proposed legal settlements and statutory protective reviews; and acts as litigation guardian.

● **Services to Adults**

Provides financial, legal and personal care substitute decision making services for incapable adults; investigates reports of financial abuse of vulnerable adults; consults on possible abuse, neglect and self neglect situations; reviews accountings by private committees; and makes or appoints others to make health care decisions as a temporary substitute decision maker.

● **Legal Services**

Provides advice to the PGT with respect to client and corporate matters, fulfills certain statutory obligations of the PGT; administers information and privacy requests; and oversees the internal decision review process.

● **Corporate Projects and Strategic Operations**

Provides corporate services including strategic planning and project management; leads policy development and administration; conducts organizational performance planning and reporting; develops corporate training; facilitates internal and external communications; provides information technology services; and coordinates management information, research and evaluation.

● **Client Finance and Administrative Services**

Provides client and corporate financial services including client investments, receipts, disbursements and tax services; and administers PGT facilities.

● **Estate and Personal Trust Services**

Administers estates of deceased and missing persons; administers personal trusts; acts as litigation representative; manages the PGT Educational Assistance Fund for adults who were formerly in continuing care; provides services to secure client assets; and agrees to act as executor under a will in appropriate circumstances and follows up with the will maker periodically to ensure the will is current and up to date.

Numerous acts set out the powers and duties of the PGT. Key provincial statutes include:

Adoption Act

Adult Guardianship Act

Child, Family and Community Service Act

Community Care and Assisted Living Act

Cremation, Interment and Funeral Services Act

Employment Standards Act

*Estate Administration Act**

Estates of Missing Persons Act

Family Law Act

*Health Care (Consent) and Care Facility
(Admission) Act*

Hospital Act

Infants Act

Insurance Act

Insurance (Vehicle) Act

Limitation Act

Marriage Act

Patients Property Act

Power of Attorney Act

Public Guardian and Trustee Act

Representation Agreement Act

Trust and Settlement Variation Act

Trustee Act

*Wills Act**

Wills, Estates and Succession Act

*Wills Variation Act**

**As applicable under the transitional provisions of the Wills, Estates and Succession Act*

The PGT has a fiduciary duty of undivided loyalty to its clients and to advance the interests of its clients even if they are inconsistent with the priorities or interests of the provincial government.

Further information about PGT services and structure is available on the PGT website at www.trustee.bc.ca. The website also includes the PGT annual report which contains audited financial statements and audited performance information.

The PGT is a corporation sole established under the *Public Guardian and Trustee Act*. A corporation sole is a legal entity in which governance and operational responsibility are vested in a single office holder who operates without a board of directors. The status of the organization as a corporation sole establishes the PGT as a legal entity independent of government in its client related decision making.

Authority is vested in the Public Guardian and Trustee, who is appointed by the Lieutenant Governor in Council for a fixed six year term (renewable once) to ensure independence. The current office holder is Catherine M. Romanko, who was reappointed for a second term effective October 10, 2017. Staff act under authority delegated by the Public Guardian and Trustee. The Public Guardian and Trustee reports to the Legislative Assembly through the Attorney General.

An Investment Advisory Committee of independent senior external financial advisors is established by statute to advise on investment performance and strategic investment policy.

An Audit Advisory Committee established by the PGT advises on key aspects of internal and external audit, accountability and internal controls.

An Executive Committee comprised of the Public Guardian and Trustee, the Deputy Public Guardian and Trustee and operational executive directors, manages the organization.

As a fiduciary, the PGT is independent of government in its client related decision making responsibilities. By statute, the PGT exercises quasi judicial authority in certain situations. In addition, the PGT provides the court with independent submissions when the property or financial interests of minors, adults with legal disabilities or estates are at issue.

Under the *Public Guardian and Trustee Act*, the PGT is subject to stringent public accountability provisions. These include requirements for annual independent financial audits of both its operating fund and its estates and trusts administered, as well as an annual independent audit of its performance report. These rigorous accountability provisions reflect the fact that most PGT clients lack capacity to effectively monitor service quality or seek alternate service providers.

The PGT Operating Account is established as a Special Account in the general fund of the provincial Consolidated Revenue Fund. Operating expenses are funded by a combination of PGT fees and voted funding from the government of British Columbia for services where fees would be impractical, inappropriate or insufficient.

PGT fees are established by the Lieutenant Governor in Council and set out in the *Public Guardian and Trustee Fees Regulation* (BC Reg. 312/2000) as amended. PGT fees include flat fees for specific statutory services and commissions on capital, commissions on income and asset management fees.

The PGT self funds a large percentage (67% in 2016-2017) of its actual operating expenses through fees charged on client income and assets with supplementary voted funding that supports public services such as regulatory and oversight activities. Any operating surplus at year end is retained in the Special Account and is not accessible to the PGT for spending in subsequent years without Treasury Board approval.

The PGT provides services to a wide range of client groups. Providing services efficiently and effectively involves liaising with and working in partnership with an extensive range of individuals, organizations and private sector service providers.

Primary Client Groups

Many PGT clients are persons who have not yet reached the age of majority or who are vulnerable due to legal incapacity arising from diseases of aging, mental illness, brain injury or special needs. Clients include:

- Children in continuing care of the province
- Children with trust funds
- Children whose guardians wish to settle a claim for damages on behalf of the child
- Adults with cognitive impairments due to brain injury, developmental disability, diseases of aging and mental illness who require assistance with decision making
- Adults requiring temporary substitute decision making for health care decisions
- Vulnerable adults who may be experiencing abuse, neglect or self neglect
- Intestate successors and beneficiaries of estates of deceased or missing persons
- Beneficiaries of personal trusts

Key External Relationships

Clients are at the core of all PGT activity. The PGT liaises with and works in partnership with a broad range of individuals and organizations in helping clients meet their needs. Key PGT stakeholders and service partners include family and others in supportive networks of PGT clients. The PGT also works with a wide range of public bodies to meet the needs of clients. These relationships include:

- Family and friends of clients
- Community groups and nonprofit organizations
- Indigenous organizations
- Provincial government ministries
- Public service partners with statutory authority
- British Columbia Courts
- Law Society of British Columbia and other organizations of legal professionals
- Government of Canada departments and agencies
- BC Investment Management Corporation
- Insurance Corporation of BC
- BC Unclaimed Property Society

Key Private Sector Providers

The PGT works with private sector service providers drawn primarily from the legal, financial, health and social services sectors, reflecting the nature of PGT responsibilities for protecting the personal, legal and financial interests of clients. These include:

- Private service providers such as care facilities, funeral homes and personal attendants
- Personal service providers
- Financial institutions
- Medical and social services professionals
- Lawyers
- Accountants
- Insurance providers
- Real property managers
- Heir tracers
- Private investment managers

The PGT has a fiduciary duty of undivided loyalty to its clients and to advance the interests of its clients even if they are inconsistent with the priorities or interests of the provincial government.

In most instances, individuals become PGT clients through legislation, court order, trust deed or referral. In addition, some choose the PGT as their service provider to act as a trustee for a personal trust or to act as executor to administer an estate.

The PGT delivers approximately 50 different statutory functions under 25 statutes. These fall under one of two program areas:

- A. Estate and Trust Services; or
- B. Public Services.

A. Estate and Trust Services

Estate and trust services include services where the PGT represents the private interests of its clients and manages their financial and legal affairs. As fiduciary, the PGT is responsible for making substitute decisions on behalf of vulnerable citizens of British Columbia who require assistance or protection because they are under a legal disability due to minority or mental incapability. The PGT also acts as fiduciary in the administration of estates and trusts.

The PGT has a legal duty of undivided loyalty to the clients for whom the PGT serves as a fiduciary. The PGT must protect the interests of these clients even when they are at odds with those of government. This private role is reflected in the total or high level of cost recovery for estate and trust services. The principal beneficiaries of these services are clients themselves or their beneficiaries or intestate successors. The PGT provides these services when there is no other person or organization willing and able to take on the role and a user pay approach underlies the fees charged for these services. In 2016-2017, PGT estate and trust services accounted for \$17.7 million or 66% of total PGT costs and produced \$16.9 million or 94% of total self generated recoveries from fees.

Estate and trust services are comprised of the following primary business lines:

i. Administering property of clients

Under certain legislation, the PGT is bound by fiduciary obligations to protect and administer property on behalf of clients. To accomplish this, the PGT secures and manages client assets. Asset management activities may include physically securing property, determining and collecting income, paying bills, administering personal trusts, investing as a prudent investor, making disbursements for the benefit of clients and inventorying and distributing trust assets. In planning and implementing these activities, the PGT seeks to understand the client's situation and exercises professional discretion in making decisions.

ii. Administering estates of deceased and missing persons

The PGT may act as executor or administrator of the estates of deceased persons. The PGT administers estates of persons who have died with or without a will when an executor, family member or other eligible person is unwilling to act or is unable to administer the estate. These activities are intended to ensure efficient, orderly intergenerational transfer of wealth.

To accomplish this, the PGT makes funeral arrangements, identifies, secures and deals with estate assets and obtains the legal authority to administer each estate from the Supreme Court of British Columbia. Furthermore, the PGT identifies and pays valid debts and claims, files income tax returns and deals with estate legal matters. Finally, the PGT identifies, locates and distributes the balance of the estate to the lawful intestate successors and beneficiaries.

The PGT also acts as curator of the estates of missing persons.

B. Public Services

Public services include protective statutory monitoring or oversight services that support vulnerable persons. The PGT is responsible for investigating concerns of abuse, neglect or self neglect of British Columbians under legal disability and under some statutes, carries out an oversight role of third party substitute decision makers.

The limited or nil cost recovery reflects the public nature of these services. Full cost recovery for public services is neither possible nor desirable because the services have a strong public purpose as well as a private benefit. Public services also apply to the provincial population at large rather than to PGT clients only. In 2016-2017, PGT public services accounted for \$9.0 million or 34% of total PGT costs and produced \$1.1 million or 6% of total self generated recoveries from fees.

Public services are centred on the following primary business lines:

i. Protecting people under legal disability by making decisions or reviewing decisions made by others

Under British Columbia law, the PGT screens, investigates, monitors, takes protective measures and otherwise intervenes on behalf of persons under legal disability. Persons under legal disability include children under the age of majority and adults by reason of mental incapability. The PGT acts to ensure that the legal and property interests of clients are protected. To accomplish this, the PGT may review a range of applications in legal proceedings, investigate allegations of mismanagement or abuse and review accounts of private committees.

ii. Making personal and health care decisions

The PGT makes or appoints other substitute decision makers to make health care decisions on behalf of persons who are mentally incapable of providing consent to treatment and who have no one authorized to make personal and health care decisions on their behalf. The PGT may also, as a last resort, be appointed by the court to make other personal care decisions on behalf of incapable adults. These activities are intended to ensure that client health and safety are protected and client wellbeing is promoted.

iii. Educating the public

The PGT recognizes the importance of educating the public about the PGT mandate and services to mitigate the growth in demand for PGT services, to facilitate cooperation with service partners and stakeholders and to inform the public about client related issues. For example, the PGT provides public information directed at identifying and deterring financial abuse of incapable and vulnerable adults to protect the public as well as to limit growth in demand for PGT investigative and committee services.

The PGT seeks to leverage other public education resources to achieve maximum efficiency when communicating with clients, service partners, key stakeholders and the public. Public education activities may include producing publications and other information materials, making presentations and providing news releases. The PGT website is central to this work.

iv. Applying PGT special expertise to advocate for PGT clients

The PGT supports clients in accessing services and exercising their civil, personal and property rights. This activity requires considerable liaison with service providers and increasingly may include legal action to pursue client rights and entitlements.

At a systemic level, the PGT advocates for improved laws, policy and regulations in its responsibility areas. This may include applying the special expertise of the PGT in analyzing emerging issues and making recommendations regarding policy and legislation to ensure that decision makers are aware of the impact of legislative changes on persons under legal disability.

Seven major values underpin PGT work and are reflected in all aspects of PGT performance:



Client Centred Service

We constantly strive to provide quality service to our clients.



Teamwork

We work with one another and with service partners in striving for seamless service delivery.



Innovation

We challenge ourselves to seek new and improved ways to deliver service and assist clients.



Staff Support

We acknowledge staff as our greatest resource and recognize and appreciate their expertise, professionalism and commitment.



Openness

We demonstrate responsibility and transparency to clients, government and the public through annual statutory public reporting on all aspects of our performance.



Integrity

We act in accordance with the highest ethical, legal and personal standards.



Respect

We treat clients, family and friends in a courteous, respectful manner.

The PGT will continue to move forward with significant change during this service delivery plan, transforming many aspects of the organization.

The broad challenges that dominate the PGT strategic context remain relatively consistent from previous service delivery plans. They are as follows:

- The need to improve client service through the use of modern technology;
- The need to respond to the increasing complexity of client issues;
- The need to enhance employee engagement; and
- The need to advocate for law reform on matters which may affect client interests.

The Issue

Citizens expect easily accessible technology facilitated services. Individuals expect to be able to complete tasks such as:

- review the status of accounts online;
- submit information interactively through a secure portal; and
- complete payment transactions electronically.

The Impact on PGT Clients

- The PGT has historically operated in a traditional paper based environment supported by legacy systems which are not sustainable.
- Significant gaps exist between client service expectations and the organization's ability to meet them.
- A high volume of paper and managing legacy systems increases inefficiencies and the risk of error.
- Replacing outdated technology systems will enable the PGT to improve operations and achieve better client outcomes.

The PGT Response

- Modernized systems and related internal processes will support more responsive and effective client service.
- The PGT continues to work closely with the BC Chief Information Officer and the Ministry of Attorney General to follow leading practice in implementing new technology and making corresponding process improvements.
- The PGT has recently implemented a new trust accounting system and extensive internal process changes related to financial transactions and will continue to enhance and further integrate the new system and processes into operations.
- The new trust accounting system and related internal process improvements provide the foundation for development of interactive digital client self service and electronic payment transactions.
- A document management system is critical to effective management of significant volumes of client records. The PGT will continue to seek funding for a document management system and in the interim will carry out preparatory internal process reviews relating to document management.

The Issue

- The population of British Columbia is aging giving rise to an increase in demand for services required by older adults.
- The role of a fiduciary is becoming more complex and carries an increasing degree of risk due to the changing nature and location of client assets, an increasing level of client debt and escalating value of estates being administered. The scope of duties required to meet client need is also expanding.
- Client expectations and advances in technology have increased demand for instant and easily accessible information.
- PGT clients are ethnically and culturally diverse. Client services must be provided in a culturally sensitive manner.
- The changing provincial framework for child protection is requiring the PGT to collaborate with an increasing number of partners, including Delegated Aboriginal Agencies and other Indigenous communities.

The Impact on PGT Clients

- Demand for PGT services such as estate administration and the investigation of allegations of abuse, neglect and self neglect of vulnerable adults continue to rise.
- The scope of duties required as property guardian for children in continuing care continues to expand and includes:
 - Responding to an increasing number of critical incident reports about injury or loss suffered by children in continuing care; and
 - Providing financial literacy training and other transitional supports to youth leaving care.
- Managing client financial affairs is increasingly complex as assets are located around the world often in jurisdictions that do not recognize PGT legal authority. Assets are in multiple formats including digital. Clients increasingly require debt management and resolution of tax issues.
- Feedback from consultations with clients and stakeholders has highlighted the need for improved communication by the PGT about what PGT services entail, how PGT involvement will affect clients and their families and expected service timelines.
- For PGT services to be effective, the PGT must develop policies and procedures which reflect cultural sensitivity and competency.

The PGT Response

- The PGT will develop a process for ongoing assessment of broad trends and service demand changes while maintaining resource flexibility that allows the PGT to respond.
- The PGT will develop clear communications materials about service for clients and stakeholders and increase staff training in communications.
- The PGT will provide ongoing skills and knowledge training to support management of complex caseloads including training on cultural safety and awareness.
- The PGT will continue to build its relationships with Indigenous communities, particularly in areas related to child welfare.

The Issue

- Staff retention is challenged by the fact that other employers are able to offer more flexible employment options and better compensation.
- The PGT expects significant staff retirement over the next several years increasing the risk of losing corporate knowledge and skills.
- Staff training is increasingly important as client affairs become more complex to manage.
- Traditional PGT recruitment sources are no longer providing candidates with the required skills and knowledge.

The Impact on PGT Clients

- Complex legal, financial and sensitive personal and health care client issues require management by competent, skilled and engaged PGT employees.

The PGT Response

- The PGT will explore the use of bridging positions and temporary assignments to promote career growth and succession planning.
- The PGT will expand its corporate training program to focus on role based training as well as skills development in communications and ethical decision making.
- The PGT will continue to build its succession plan for critical positions.
- The PGT will continue to include staff in improving business processes.
- The PGT will continue to develop a comprehensive healthy work environment by promoting health and safety initiatives, respectful workplace policies, a meaningful recognition program and by providing effective communication between staff and leadership teams.

The Issue

Social change or changes in provincial or federal laws may adversely affect PGT clients.

The Impact on PGT Clients

- Legislative amendments relating to the court process for appointing a guardian for an incapable adult have not yet been brought into force resulting in a confusing adult guardianship framework consisting of outdated and newer law.
- In British Columbia, there is no legal framework for legal consent to admission of incapable adults to care facilities.
- There is no clear definition of the duties of a public property guardian for children in British Columbia law.

The PGT Response

- The PGT will continue to advocate for government to bring into force the outstanding provisions of the *Adult Guardianship and Planning Statutes Amendment Act, 2007* related to the court process for appointing an adult guardian.
- The PGT will continue to work with government to bring into force legislation regarding care facility admission. Under such legislation, the PGT will have a new statutory role to authorize temporary substitute decision makers to consent to admission or to itself make decisions regarding admission to care facilities on behalf of incapable adults with no legal representatives.
- The PGT will continue to advocate for other legal reform that relates to its mandate such as:
 - Expanding transition services for children aging out of government care; and
 - Defining the role of a public property guardian of children.

The PGT maintains an extensive internal control environment to respond to the legal, financial and other risks associated with its duties.

The PGT strives to mitigate risk through enhanced processes developed under its enterprise risk management framework (ERM). These risk mitigation strategies include planning and implementing internal controls and other risk management practices determined to be appropriate based on the assessed level of risk, due consideration to resource constraints and risk tolerance levels commensurate with the PGT's duty as a fiduciary.

The PGT regularly reassesses its risk environment, including mitigation strategies. While the types and nature of major risk remain generally constant from year to year, their relative importance varies, reflecting changes in environmental factors and mitigation strategies.

Major changes in the risk environment for this service delivery plan include a lower risk associated with funding sufficiency and expense authority as the PGT has worked successfully with government to have the unique funding and governance structure of the organization better understood. The risk associated with the management of client information has increased in significance due to the need to develop new internal reporting sources associated with a new trust accounting system and the ongoing need for a document management solution.

The following pages summarize the most significant specific risks the PGT faces, as identified and assessed through the ERM process conducted in October 2017 and outlines some of the major mitigation strategies. This summary of key risks does not describe all potential risks facing the PGT nor all of the related controls and mitigation strategies.

Risk	Nature of Risk	Major Mitigation Strategies
Client information management	Risk of inadequate supporting technology impacting PGT ability to access and maintain client information and other internal reporting needs to meet PGT fiduciary duties.	The PGT plans to mitigate this risk by enhancing existing information management infrastructure, obtaining funding to acquire a document management system and continuing to develop internal reporting.
Funding sufficiency and expense authority	The PGT would be at risk if provincial administrative controls limited its expense authority so that it was unable to expend its recoveries from fees to provide services to clients or if declining recoveries from fees limited the funding available to provide client services.	The PGT strives to mitigate this risk by careful budgeting and by seeking relief from limits on its expense authority by clarifying its fiduciary role and the nature of its self funding.
Non compliance with PGT policies and procedures	There would be a risk if employees were intentionally or unintentionally not following PGT policies and procedures.	The PGT seeks to mitigate this risk by providing role based training on policies and procedures and by continuously reviewing internal controls.
Human resources sufficiency	The PGT would be at risk if it could not recruit or retain adequate numbers of appropriately qualified employees due to constraints imposed by the provincial government.	The PGT acts to mitigate this risk by striving to increase employee engagement, enhancing recruitment and retention initiatives and by identifying its fiduciary role in seeking relief from staffing related provincial controls.
Government, legislation and policy change	Changes in policy, strategy or priorities by government may add risk to the PGT.	The PGT focuses on mitigating this risk through participating in consultations regarding proposed legislative changes wherever possible and committing to advance planning with respect to implementation of legislative or policy changes.
Media (including social media)	Negative media or public attention (including social media) would potentially diminish public confidence in the PGT's role.	The PGT endeavors to mitigate this risk through the development and implementation of an external communications plan which includes proactively reaching out to the media and strategies to respond to negative media coverage.

Risk	Nature of Risk	Major Mitigation Strategies
Business interruption	Risk of significant interruptions to PGT operations due to the unavailability of information technology systems, essential staffing, facilities or other resources.	The PGT works to mitigate this risk through ongoing review of the business continuity and disaster recovery plans.
Changing demographics	Changing demographics increases the risk that PGT will not have adequate resources to meet increased or changing demands for service.	The PGT strives to mitigate this risk through monitoring and analyzing internal and external demographic trends to understand key demand drivers for service and reallocating existing resources where required.

PGT strategic goals, as described in this service delivery plan, focus broadly on how the PGT achieves its mandate. Each strategic goal includes objectives which focus more specifically on what the PGT intends to achieve. Section 22 (2) (c) of the *Public Guardian and Trustee Act* requires that the service delivery plan describe PGT program areas and specify “the performance targets and other measures by which the performance of the program area may be assessed.” The “other measures” by which performance is assessed is discussed throughout this service delivery plan. All aspects of the 2018-2021 Service Delivery Plan support the PGT in achieving these strategic goals. The PGT strategic goals are as follows:

1. Optimize client service delivery;
2. Contribute to a fair and just society;
3. Achieve success through relationships;
4. Demonstrate accountability and transparency; and
5. Engage and empower staff.

For the past several years, the PGT has been enhancing its capacity to draw performance results from its information technology systems and now most reports on individual performance measures are drawn from PGT systems. In the last service delivery plan, the PGT described its intention to not report on five specific performance measures as those measures relied on data that was captured in the legacy trust accounting system which was about to be replaced. The PGT’s plan was to develop new measures for this service delivery plan.

Three new performance measures are introduced in this service delivery plan which will be reported on in the 2018-2019 Performance Report. These are:

- A measure which reports on PGT performance related to the timely creation and review of investment plans;
- A measure which evaluates PGT success in distributing estate funds to lawful intestate successors and beneficiaries; and
- A measure which indicates the proportion of employees who receive a minimum amount of client service related training.

The PGT intended to introduce additional performance measures in this service delivery plan related to the timeliness of processing accounts payable on behalf of estate and trust clients. As the PGT is continuing this year to make changes to the new trust accounting system related to accounts payable processing, a new accounts payable measure will be introduced in the 2019 – 2022 Service Delivery Plan. The performance measurement framework on pages 24 through 28 provides additional detail about the performance measures that are in effect for this plan.

A. Benchmarking

The PGT is a unique organization largely without private sector comparators and with limited comparability to public bodies in British Columbia and other jurisdictions. Because of its responsibilities, blend of services and unique legal status, PGT access to generally accepted benchmarks is limited. Public guardian and public trustee agencies in other jurisdictions each have some responsibilities and services or elements in common with the PGT but all have significant differences.

The PGT uses third party benchmarks in assessing the performance of its pooled investment funds.

In accordance with the *Public Guardian and Trustee Act*, the PGT annual performance report is subject to an independent audit to provide third party assurance on the reported results and the PGT is able to make comparisons of its own past performance using this information.

Goal # 1: Optimize client service delivery						
Objectives	Performance Measures	Targets				
		2016/17 Actual	2017/18 Target	2018/19	2019/20	2020/21
1.1 Property and financial interests of PGT clients will be well managed	1.1.1 Percentage of deceased estate funds that are distributed to intestate successors and beneficiaries rather than transferred to the BC Unclaimed Property Society	93%	N/A	85%	85%	85%
	1.1.2 Percentage of critical incident reports in respect of children in continuing care that are reviewed and have action initiated by the PGT within 45 calendar days of receipt	99%	95%	95%	95%	95%
	1.1.3 Percentage of personalized case plans (covering property, effects, legal issues and living arrangements) that are developed and implemented for new adult clients within six months of PGT appointment as committee of estate	91%	80%	80%	80%	80%
	1.1.4 For children and youth where ongoing assistance with day to day maintenance has been approved, personalized expenditure plans will be developed and implemented within 20 calendar days of receiving all decision making information and then annually reviewed	99%	90%	90%	90%	90%
	1.1.5 Percentage of investment plans and reviews completed prior to specified due date	N/A	N/A	75%	85%	95%

Goal # 1: Optimize client service delivery						
Objectives	Performance Measures			Targets		
		2016/17 Actual	2017/18 Target	2018/19	2019/20	2020/21
1.1 Property and financial interests of PGT clients will be well managed	1.1.6 Investment returns for all three pooled funds match or exceed established benchmarks	Three of the three funds met or exceeded their benchmarks at March 31, 2017	Match or exceed established benchmarks	Match or exceed established benchmarks	Match or exceed established benchmarks	Match or exceed established benchmarks
	1.1.7 Physical assets of new deceased estates secured within 15 calendar days of notification of death	84%	75%	75%	75%	75%
	1.1.8 Assets will be entered into the trust accounting system within five business days of receipt of the work order	99%	85%	85%	85%	85%
1.2 The PGT will deliver high quality client centred services	1.2.1 Percentage of committee of person adult clients who are annually visited by PGT staff	99%	95%	95%	95%	95%
	1.2.2 Percentage of intestate successors and beneficiaries responding to survey who rated administration services for deceased estates as good or very good	95%	85%	85%	85%	85%

Goal # 2: Contribute to a fair and just society						
Objectives	Performance Measures	Targets				
		2016/17 Actual	2017/18 Target	2018/19	2019/20	2020/21
2.1 Personal interests of PGT clients will be protected	2.1.1 Percentage of major health care substitute decisions for adults made within three business days of all relevant information being received	99%	95%	95%	95%	95%
2.2 Statutory protective and monitoring services will be delivered in an appropriate, timely and fair manner	2.2.1 Percentage of proposed minors' settlements \$5,000 and over that are reviewed and the parties advised of the PGT position within 60 calendar days once all relevant information has been received	99%	90%	90%	90%	90%
	2.2.2 For minors' settlements under \$5,000, the average number of calendar days to review and advise of the PGT position regarding proposed settlements once all relevant information has been received	6.9 days	20 days	20 days	20 days	20 days
	2.2.3 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 within one business day under section 19 of the <i>Public Guardian and Trustee Act</i>	98%	95%	95%	95%	95%
	2.2.4 Percentage of private committee accounts reviewed within six months of receipt	80%	75%	75%	75%	75%

Goal # 2: Contribute to a fair and just society						
Objectives	Performance Measures			Targets		
		2016/17 Actual	2017/18 Target	2018/19	2019/20	2020/21
2.3 The PGT will contribute to public awareness, policy development and law reform initiatives to promote the interests of PGT clients	2.3.1 Prepare a report making recommendations for amendments to the <i>Class Proceedings Act</i> which will provide greater protections for persons under a legal disability who may have a claim pursuant to a class action	N/A	N/A	Report to be posted to the PGT website by March 31, 2019	TBD	TBD
	2.3.2 PGT role explained by PGT representatives at stakeholder and service partner conferences, events and other public education forums	117 presentations	80 presentations	80 presentations	80 presentations	80 presentations

Goal # 3: Achieve success through relationships	
Objectives	Performance Measures
3.1 Build relationships and understanding of roles with clients and stakeholders to support improved service	Assessment - There are no specific performance measures, however, the PGT plans to achieve its mandate through working with others including clients, their friends and families, organizations with statutory authority and a wide range of professional and organizational service providers. This includes participating in government wide and government/community initiatives.

Goal # 4: Demonstrate accountability and transparency	
Objectives	Performance Measures
4.1 Provide meaningful information to clients, stakeholders and the public	Assessment - All of the specific performance measures described above relate to this goal. In addition, the PGT is approaching this goal by responding to a large number of strategic and operational factors. Implementing supportive information technology, including further integrating the new trust accounting system into standard operations and continued implementation of new legislation are major strategic approaches. The PGT has a strong accountability framework that includes an enterprise risk management framework and independently audited public reporting on performance and operations.

Goal # 5: Engage and empower staff						
Objectives	Performance Measures					
5.1 Develop motivated, skilled and accountable leaders and staff	Assessment - The PGT approaches this goal from a number of perspectives including the performance measure listed below. These approaches include building a strong corporate training program, planning for and responding to employee engagement surveys, continuing support for a Lean culture and applying risk mitigation strategies to ensure the PGT is appropriately staffed.					
		2016/17 Actual	2017/18 Target	2018/19 Target	2019/20 Target	2020/21 Target
	5.1.1 Percentage of existing PGT staff that completed at least 10 hours of client service related learning	N/A	N/A	75%	75%	80%

A. Summary Financial Outlook

This forecast has been prepared on the basis of information available to the PGT as of December 21, 2017 and updated on February 2, 2018 to align with Budget 2018 allocations to the PGT. Any changes that may occur after that date are not included.

The following financial assumptions have been included:

- The amounts for 2018-2019 and 2019-2020 reflect anticipated operations except as noted below. The amounts for 2020-2021 are flatlined.
- There are 263 full time equivalent base employee positions.
- Benefits have been included at 24.8% of salaries throughout the period.
- The Seventeenth BCGEU Master Agreement has a five year term commencing April 1, 2014 and expiring March 31, 2019 which provides rate increases of 5.5% over the term of the agreement. It also provides the potential for Economic Stability Dividend (ESD) rate increases totalling 2% over the term of the agreement. Future Economic Stability Dividend (ESD) rate increases are uncertain and not reflected in the PGT salary forecast, except for the 0.4% ESD rate increase which will take effect February 1, 2018. The confirmed incremental salary rate increases of 1% in February 2018, 0.5% in April 2018, and 1% in February 2019 have also been included in the PGT salary forecast.
- The collective agreement between the Province and the BC Crown Counsel Association has a 12 year term commencing April 1, 2007 and expiring March 31, 2019 which provides an incremental rate increase of 1.27% each year in addition to percentage compensation parity with the Provincial Court Judiciary. The future base salary impact of retroactive salary adjustments owing to legal counsel staff as a result of the March 16, 2017 arbitration ruling, and incremental salary rate increases of 2.8% in April 2018 and 2.77% in April 2019 have been included in the PGT salary forecast.
- PGT voted funding from the Province of British Columbia represents a sub vote transfer from the Ministry of Attorney General.
- Salary projections for non-union management staff have remained constant.
- PGT fees earned under the *Public Guardian and Trustee Fees Regulation* are recognized in this report as external recoveries from fees.

- Due to uncertainties surrounding the nature and timing of legislation which may come into force, there has been no allowance for the financial implications resulting from implementation of:
 - The *Health Statutes Amendment Act, 2007* that will repeal and replace Part 3 of the *Health Care (Consent) and Care Facility (Admission) Act* and introduce a consent scheme for admission to care facilities in BC; and
 - The *Adult Guardianship and Planning Statutes Amendment Act, 2007* provisions relating to the court process for appointing an adult guardian.

The PGT is assigned new statutory duties under the proposed legislation and the related financial implications for the PGT will have to be addressed prior to implementation.

- The PGT implemented a new trust accounting system on May 1, 2017. Design and implementation of enhancements to this system is underway. Operational costs to support this new system and enhancements are included in the forecast.
- Amortization expense reflects annual base capital funding of \$0.363 million, plus costs capitalized by the Office of the Chief Information Officer and transferred to the PGT on implementation of the new trust accounting system and on implementation of subsequent enhancements.
- Centralized overhead costs provided by other government entities and not paid by the PGT include certain financial and administrative services, post employment benefits and office and warehouse facilities. These centralized costs are estimated at over \$3 million per year and are not reflected in this forecast.
- Operating expenses include a deduction for cost recoveries, which are expenses initially paid from the PGT Operating Account and later recovered from client trust accounts, estimated at \$382,000 for 2018-2019 and \$389,000 thereafter. These cost recoveries are recognized as External Recoveries in the British Columbia Budget Estimates.

B. Financial Forecast for the year ending March 31, 2019

(Expressed in thousands of dollars)

	Estate and Trust Services				Public Services ¹			Total
	Adult Trust Services	Estate and Personal Trust	Child Trust Services	Subtotal	Adult Services	Child Services	Subtotal	
External recoveries from fees								
Commissions	\$ 5,418	\$ 4,133	\$ 813	\$ 10,364	\$ -	\$ 11	\$ 11	\$ 10,375
Asset management fees	3,989	1,609	1,202	6,800	-	35	35	6,835
Estate liaison administration fees	566	-	-	566	-	-	-	566
Minimum administration fees	253	-	-	253	-	-	-	253
Heir tracing fees	-	88	-	88	-	-	-	88
Other	-	2	-	2	532	524	1,056	1,058
Total external recoveries from fees	10,226	5,832	2,015	18,073	532	570	1,102	19,175
Operating expenses								
Salaries and benefits	9,509	3,603	1,365	14,477	3,833	3,924	7,757	22,234
Computer systems and support	949	321	135	1,405	337	292	629	2,034
Other operating and administrative costs	516	191	97	804	267	405	672	1,476
Amortization	594	199	84	877	215	187	402	1,279
Professional services	286	110	54	450	107	104	211	661
Client expenditures	453	82	5	540	35	21	56	596
Legal services	26	-	4	30	3	227	230	260
Total operating expenses	12,333	4,506	1,744	18,583	4,797	5,160	9,957	28,540
Net external recovery (expense)²	\$ (2,107)	\$ 1,326	\$ 271	\$ (510)	\$ (4,265)	\$ (4,590)	\$ (8,855)	(9,365)
Voted funding from the Province of British Columbia								9,365
Balance								\$ -
Capital expenditures								\$ 363

1. Adult Services include Assessment and Investigation, Temporary Substitute Decision Making, Committee of Person, Private Committee, and Other Adult Legal Services. Child Services include Property Guardian, Grant Application Reviews, Infant Settlement and Other Statutory Reviews, and Litigation Guardian.

2. Does not include deduction for centralized overhead costs paid and expensed by other government entities for PGT operating costs including certain financial and administrative services, post-employment benefits, and office and warehouse facilities.

C. Financial Forecast for the year ending March 31, 2020

(Expressed in thousands of dollars)

	Estate and Trust Services				Public Services ¹			Total
	Adult Trust Services	Estate and Personal Trust	Child Trust Services	Subtotal	Adult Services	Child Services	Subtotal	
External recoveries from fees								
Commissions	\$ 5,414	\$ 4,085	\$ 810	\$ 10,309	\$ -	\$ 10	\$ 10	\$ 10,319
Asset management fees	4,188	1,689	1,262	7,139	-	37	37	7,176
Estate liaison administration fees	568	-	-	568	-	-	-	568
Minimum administration fees	266	-	-	266	-	-	-	266
Heir tracing fees	-	84	-	84	-	-	-	84
Other	-	1	-	1	524	515	1,039	1,040
Total external recoveries from fees	10,436	5,859	2,072	18,367	524	562	1,086	19,453
Operating expenses								
Salaries and benefits	9,530	3,614	1,366	14,510	3,853	3,971	7,824	22,334
Computer systems and support	984	332	140	1,456	349	303	652	2,108
Other operating and administrative costs	508	189	97	794	265	404	669	1,463
Amortization	572	192	81	845	207	179	386	1,231
Professional services	441	162	77	680	162	153	315	995
Client expenditures	460	84	5	549	36	21	57	606
Legal services	27	-	4	31	3	231	234	265
Total operating expenses	12,522	4,573	1,770	18,865	4,875	5,262	10,137	29,002
Net external recovery (expense)²	\$ (2,086)	\$ 1,286	\$ 302	\$ (498)	\$ (4,351)	\$ (4,700)	\$ (9,051)	(9,549)
Voted funding from the Province of British Columbia								9,549
Balance								\$ -
Capital expenditures								\$ 363

1. Adult Services include Assessment and Investigation, Temporary Substitute Decision Making, Committee of Person, Private Committee, and Other Adult Legal Services. Child Services include Property Guardian, Grant Application Reviews, Infant Settlement and Other Statutory Reviews, and Litigation Guardian.

2. Does not include deduction for centralized overhead costs paid and expensed by other government entities for PGT operating costs including certain financial and administrative services, post-employment benefits, and office and warehouse facilities.

D. Financial Forecast for the year ending March 31, 2021

(Expressed in thousands of dollars)

	Estate and Trust Services				Public Services ¹			Total
	Adult Trust Services	Estate and Personal Trust	Child Trust Services	Subtotal	Adult Services	Child Services	Subtotal	
External recoveries from fees								
Commissions	\$ 5,414	\$ 4,085	\$ 810	\$ 10,309	\$ -	\$ 10	\$ 10	\$ 10,319
Asset management fees	4,188	1,689	1,262	7,139	-	37	37	7,176
Estate liaison administration fees	568	-	-	568	-	-	-	568
Minimum administration fees	266	-	-	266	-	-	-	266
Heir tracing fees	-	84	-	84	-	-	-	84
Other	-	1	-	1	524	515	1,039	1,040
Total external recoveries from fees	10,436	5,859	2,072	18,367	524	562	1,086	19,453
Operating expenses								
Salaries and benefits	9,530	3,614	1,366	14,510	3,853	3,971	7,824	22,334
Computer systems and support	984	332	140	1,456	349	303	652	2,108
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Total operating expenses	12,522	4,573	1,770	18,865	4,875	5,262	10,137	29,002
Net external recovery (expense)²	\$ (2,086)	\$ 1,286	\$ 302	\$ (498)	\$ (4,351)	\$ (4,700)	\$ (9,051)	(9,549)
Voted funding from the Province of British Columbia								9,549
Balance								\$ -
Capital expenditures								\$ 363

1. Adult Services include Assessment and Investigation, Temporary Substitute Decision Making, Committee of Person, Private Committee, and Other Adult Legal Services. Child Services include Property Guardian, Grant Application Reviews, Infant Settlement and Other Statutory Reviews, and Litigation Guardian.

2. Does not include deduction for centralized overhead costs paid and expensed by other government entities for PGT operating costs including certain financial and administrative services, post-employment benefits, and office and warehouse facilities.

E. Special Account Summary

(Expressed in thousands of dollars)

	Public Accounts	Estimates	Service Delivery Plan		
	2016/17	2017/18	2018/19	2019/20	2020/21
Special Account, beginning of year	\$ 26,837	\$ 26,837	\$ 26,837	\$ 26,837	\$ 26,837
Operating expenses	(26,655)	(26,870)	(28,540)	(29,002)	(29,002)
External recoveries from fees	17,860	17,961	19,175	19,453	19,453
Voted funding from the Province of British Columbia	8,795	8,909	9,365	9,549	9,549
Net recovery (expense)	-	-	-	-	-
Special Account, end of year	\$ 26,837	\$ 26,837	\$ 26,837	\$ 26,837	\$ 26,837

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