

# Assessment And Investigation Services

## Public Guardian and Trustee - Services to Adults

When there are concerns about the possible abuse, neglect or self neglect of a vulnerable adult, British Columbia's laws give the Public Guardian and Trustee (PGT) and designated agencies (health authorities and Community Living BC) the ability to respond.

The PGT provides a range of services to vulnerable adults who may need assistance in managing, protecting, and making decisions about their personal, financial or legal affairs because of mental incapability.

Most situations involving the PGT relate to the management of financial affairs.

### How does the PGT respond to concerns about vulnerable adults?

- We can provide information on options available to help the adult;
- We can consult on problems related to complex risk situations involving abuse, neglect or self neglect; and
- We can determine if more investigation is required.

### When is an investigation started?

- When there is a concern the adult may be mentally incapable of managing their financial affairs;
- When there is a specific, urgent or immediate need; and
- When no other suitable person (family or friend) has the authority or is willing and able to act on the adult's behalf.

If further investigation is not required, the PGT will notify the person who reported the concern.

### Why investigate?

- To see if an existing substitute decision maker is not fulfilling their legal duties;
- To see if options can be put in place to protect and manage the adult's financial affairs; and
- To see if the adult faces serious enough risks that would require a substitute decision maker to be appointed.

Every year, the PGT receives over 1,000 reports from people concerned about a vulnerable adult. The majority result in informal solutions, such as friends or family who can assist.

## What does the PGT do in an investigation?

The purpose of the PGT investigation is to determine if and what kind of assistance the adult may need.

The focus is always to look for the least intrusive but most effective option.

If necessary, the PGT has the authority to collect relevant information about the adult's ability to manage their personal, legal and financial affairs. The scope of the investigation depends on factors including the risk, urgency and circumstances of each situation.

- We will consult with the referring party and others close to the adult;
- We will assess whether assets are at risk, and if so, consider options to protect them;
- We will see if there are others in the adult's life who can assist;
- We may ask a substitute decision maker to show how the adult's assets, income and expenses are being managed;
- We may request information about the adult's financial situation including statements from the bank or investment advisor;
- We may consult with designated health authorities;
- We may request information or an assessment from the adult's physician or health care provider about whether they are incapable of managing their affairs.

### ***How is the adult involved?***

- The adult will be informed of the investigation and will be consulted on options;
- The adult can identify people who can assist;
- The adult can provide suggestions about managing their affairs.

### **Guiding Principles of the Adult Guardianship Act**

- All adults are entitled to live in the manner they wish and to accept or refuse support, assistance or protection as long as they are capable of making decisions about those matters;
- All adults should receive the most effective, but the least restrictive and intrusive, form of support, assistance or protection when they are unable to care for themselves or their financial affairs;
- The court should not be asked to appoint, and should not appoint, a committee unless alternatives, such as provision of support and assistance, have been tried or carefully considered;
- Until the contrary is demonstrated, every adult is presumed to be capable of making decisions about their personal care, health care and financial affairs;
- An adult's way of communicating with others is not grounds for deciding that they are incapable of making decisions.

## What are the possible outcomes?

### When there is a substitute decision maker

- If a substitute decision maker is not fulfilling their legal duties and the adult or their assets are at risk, we will try to resolve the concerns or the substitute decision maker may be replaced.

### When there are health and safety concerns

- If the adult is experiencing abuse or neglect, and is not able to get help on their own, the PGT may need to involve the designated agencies.

### Options for assistance

- We can provide information on community resources to help support the adult;
- We may assist in exploring preplanning options;
- A trusted person may take steps to obtain authority to manage the adult's affairs; and
- If the adult is not able to manage their financial affairs, and no other person is able to assist, the PGT may take steps to obtain authority to manage the adult's affairs.

If the PGT is appointed committee of estate, we are responsible for managing the adult's finances. This includes securing assets, paying bills and such. The PGT charges fees for this service.

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**The PGT is committed to maintaining the confidentiality and security of all information provided, including the identity of persons making a report. The collection, use and disclosure of personal information must comply with the *Freedom of Information and Protection of Privacy Act* and other BC legislation.**

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## Questions or Concerns

If you have questions or concerns about the investigation or assessment process, please contact us directly through the contact information on the next page or by sending us a message at [sta@trustee.bc.ca](mailto:sta@trustee.bc.ca).

If an assessment is requested or the PGT is appointed committee of your estate, you may seek legal advice about your rights. PTG staff can provide information on legal resources.

If you have a complaint about the PGT's investigation you may request the [Fact Sheet: Response to Client Complaints](#) for more information on how to make a complaint. The Fact Sheet is also available on our website at [www.trustee.bc.ca/Pages/feedback.aspx](http://www.trustee.bc.ca/Pages/feedback.aspx). If you are not satisfied with the PGT response to your complaint, you may direct your concerns to the BC Ombudsperson by calling 1.800.567.3247 or by visiting [www.bcombudsperson.ca](http://www.bcombudsperson.ca).

The following publications are available at on the PGT website ([www.trustee.bc.ca](http://www.trustee.bc.ca)) or upon request.

### **Other PGT Publications**

*When the PGT is Committee*


*How You Can Help*

*It's Your Choice - Personal Planning Tools*

*Assessment and Investigation Services Referral Form*

## **Contact the Public Guardian and Trustee**

### Assessment and Investigation Services (AIS)

 Toll free	1.877.511.4111
 Local	604.660.4507
 Toll free	1.855.660.9479
 Local	604.660.9479
 Email	<a href="mailto:AIS-HCD@trustee.bc.ca">AIS-HCD@trustee.bc.ca</a>

 PGT Hours of operation Monday to Friday 8:30 am to 4:30 pm

### Toll free calling

Toll free calling is available through Service BC.  
After dialing the appropriate number for your area (see below)  
request to be transferred to the Public Guardian and Trustee.

 Vancouver	604.660.2421
 Victoria	250.387.6121
 Other Areas in BC	1.800.663.7867

