

PGT AND YOU

Staying In Touch



Issue 1

February 2001

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Message From the PGT

The Public Guardian and Trustee of British Columbia (PGT) operates under provincial law to protect the legal rights and financial interests of children, to provide assistance to adults who need support for financial and personal decision making, and to administer the estates of deceased and missing persons where there is no one else able to do so.

As British Columbia's first Public Guardian and Trustee - and last Public Trustee - I am very interested in improving our communication with you - our clients.



This newsletter is to help you learn more about the services you can expect from the PGT. For many years people didn't know much about our services, but we are working hard at becoming a more open organization and one that is totally focussed on serving our clients.

PGT staff and I are excited about this newsletter and the opportunity to let you know about our services. This newsletter is one way that we can stay in touch with you and get any feedback you have.

Jay Chalke
Public Guardian and Trustee of BC

PUBLIC GUARDIAN AND TRUSTEE'S VISION

"Rights, Choices and Security for all British Columbians"

Welcome To The First Edition

We hope you find this newsletter informative. Our goal is to provide you with a better understanding of the PGT's office and Client Services to Adults. This edition will update you, the client, on some of the changes that have taken place, as well as describe the services you have come to expect from our office. If you have any suggestions or questions about this newsletter, your Case Manager will be happy to discuss them with you.

What's New At The PGT?

On February 28, 2000, the Public Trustee became the **Public Guardian and Trustee** as a result of the new adult guardianship legislation.

The adult guardianship legislation is comprised of four Acts that promote every adult's right to self-determination and provide support and protection for those who are vulnerable to abuse or no longer capable of making their own decisions.

The four Acts are:

- **The *Representation Agreement Act***
You are able to plan ahead and appoint a representative to manage your legal, financial and health affairs
- **The *Health Care (Consent) and Care Facility (Admission) Act***
Describes who can make health care decisions and how if you are not able to do so on your own
- **The *Adult Guardianship Act***
Describes how the community supports and how the PGT can help when someone has been abused or neglected
- **The *Public Guardian and Trustee Act***
Describes the roles and responsibilities of our office

Also, the PGT has its first Advisory Board which is comprised of 12 members that were appointed by the provincial cabinet.

Frequently Asked Questions

How does the PGT become involved with me?

When someone requires assistance or is incapable of managing their own financial and legal affairs and no one else is willing or able to handle this responsibility, the PGT becomes involved. When this happens, the PGT acts as Committee to assist people in managing their financial and legal and/or personal matters.



The PGT is appointed Committee in one of the following ways:

1. by Certificate of Incapability issued by the Director of a Mental Health Centre (only the PGT can be appointed by Certificate and only to be Committee of Estate)
2. by order of the Supreme Court of B.C. after a Judge has considered the sworn opinions of two medical doctors (family, friends and trust companies can be appointed by Court and can be Committee of Estate and Person)

The PGT also occasionally acts on behalf of clients as Pension Trustee, Power of Attorney and Representative.

What does the PGT do for me?

The PGT performs the following services:

- Receives and investigates sources of income
- Pays bills for your basic needs (i.e., housing, food, medical needs)
- Manages other assets (i.e., property, investments, belongings)
- Pursues legal issues if they arise (e.g., motor vehicle accident settlements, Wills, marriage/divorce settlements, financial abuse)
- Networks with community agencies to ensure your needs are met in your home community
- Visits with clients and family
- Handles income tax for clients
- Arranges for extra home support if needed
- Keeps a record of your belongings and works out a plan with you to store or sell them
- Addresses other legal and financial matters as needed

How does the PGT staff make decisions on my behalf?

The PGT makes decisions on your behalf by:

- Consulting with you regarding your wishes and needs and gathering information from people you are close to
- Often consulting with your family on major decisions
- Reviewing financial decisions to ensure that you can afford them and you are able to maintain your standard of living
- Striving to be prudent and responsible when managing your assets

How is the PGT organized to serve me?

The PGT's Client Services division is organized into three teams - each team is responsible for different geographical areas in B.C. Each team consists of case managers, financial assistants, regional financial officers, secretaries and team assistants who are responsible for managing the financial and legal matters for the PGT's adult clients. These three teams report to a manager. Client Services also has access to legal staff, property managers and financial advisors.

What happens to my money when it goes to the PGT?

When the PGT becomes responsible for managing your assets, individual trust accounts (like bank accounts) are set up and administered for you.

As funds are received, the PGT places them in a trust account. All interest earned on the trust account is calculated daily and credited to your client account monthly. Since January 1, 2000, the interest paid on cash balances held for PGT clients averaged over 6%.

There is a variety of investment options available to PGT clients. We review them on an individual basis and choose the best option. To find out more about client investments, please visit our website or contact your Case Manager.

Client Services provides service to 4,300 clients

Each Case Manager works with about 285 clients

The PGT has investigated over 500 legal issues this year for our clients

The PGT sells about 100 properties per year

The PGT manages about \$300 million of adult clients' funds

The PGT acts as Committee of Person for 122 clients

The PGT makes over 400 health care decisions per year as Temporary Substitute Decision Maker

How can I find out more about my money?

You can obtain a copy of your trust account and a copy of your monthly budget by contacting your Case Manager.

What if I want to make extra purchases?

You can contact your Case Manager to request an increase of your monthly budget or for funds to make a specific purchase. Your Case Manager will review your request based on your financial budget and get back to you with the decision.



If I go into a facility, what happens to my belongings?

Your Case Manager arranges with specialized staff to ensure that your belongings are secure. After staff have made a list and pictures are taken, your Case Manager will review with you whether the belongings should be stored or sold. (Belongings may include furniture, photos, vehicles, clothing, antiques, jewellery, etc.)

Who takes care of my income tax?

The PGT files over 4000 income tax returns per year and hires tax specialists to do this at a very low cost.

What if I no longer want the PGT involved with handling my money?

If you feel you are capable of handling your own finances and no longer need the PGT involved, you must be reassessed by a doctor who may verify that you are capable. You may wish to discuss this further with your Case Manager regarding the legal steps that are then required.



If there is another family member or someone you trust who is willing and able to assist, they can apply to the Court to be your Committee of Estate.

What is the PGT's relationship to the government?

The PGT operates under provincial law as an independent and impartial public official as well as an Officer of the Court. The PGT is accountable to the Court and the Attorney General. However, the PGT operates at arm's length from government to uphold the rights and interests of clients.

What does the PGT charge for services?

The PGT charges 5% on income and capital that is received by our office to manage and 0.4% per year for a client asset management fee (capital is a one time charge only). If you would like more information about the PGT's fees, visit our website or call (604) 660-4344.

What if I am unhappy with a decision my Case Manager has made?

If a decision has been made on your behalf and you disagree with it, you may request a review of the decision if the following has occurred:

- you have asked your Case Manager for a full explanation that outlines the reasons for the decision
- you have described the special circumstances of the situation and the reasons why you disagree with the decision that has been made

You would then contact the manager to ask for a review. The manager can advise you of the next steps.

To find out further information on reviewing decisions, please contact your Case Manager or to ask for our brochure call (604) 660-4344.

Client Services:

When the Public Guardian and Trustee is appointed as Committee, the Client Services department assists clients with financial and legal matters as Committee of Estate and placement and health care decisions as Committee of Person.

If you require further information or you would like to speak with your Case Manager, please contact us at the appropriate telephone or fax number listed below:

Team 1 - Vancouver Island/Interior/Kootenays

Ph: (604) 660-4453
Fax: (604) 660-9498

Team 2 – Vancouver/Richmond/North Shore/Burnaby/Sunshine Coast

Ph: (604) 660-2476
Fax: (604) 660-9498

Team 3 – Surrey/Delta/Port Coquitlam/New Westminister/Fraser Valley/Northern BC

Ph: (604) 660-4480
Fax: (604) 660-9498

If you need to contact a Client Services Manager, call (604) 775-0438.

Toll free number: 1-800-663-7867 (Enquiry BC)



The PGT's website has plenty of useful information to help people better understand our role and the services we offer.



Visit us at www.trustee.bc.ca

Other Information Available

Publications

• **General**

- Who We Are
- Client Investments

• **Services to Adults**

- When the Public Guardian and Trustee is Committee
- How You Can Help People Manage Finances and Legal Matters When They Cannot Manage On Their Own
- Committee of Person

• **Adult Guardianship**

- It's Your Choice: A Guide To Making a Representation Agreement
- Consent to Health Care
- Making Health Care Decisions on Behalf of Someone Else
- So, You've Been Asked to be a Representative or Monitor
- Protecting Adults from Abuse, Neglect and Self Neglect
- Support and Assistance for Abused and Neglected Adults



To obtain copies of any of the above publications, please call (604) 660-4344 or visit our website.

How Are We Doing?

If there is anything you'd like to see in a future "Staying In Touch" please let us know. This Newsletter was written for clients and families by a group of staff from Client Services and Communications. We hope you enjoyed our first edition as much as we did putting it together.

Our Address:

Public Guardian and Trustee of BC
700 - 808 West Hastings Street
Vancouver, BC V6C 3L3
mail@trustee.bc.ca
www.trustee.bc.ca