

# Policy: External Bank Accounts for Financially Managed Customers

## Purpose

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This policy provides guidance to NSW Trustee & Guardian in assisting the customers to open a bank account and/or maintaining an oversight on the use customer's external bank accounts. As a financial manager, NSW Trustee & Guardian has a legal responsibility to minimise customers' risk of financial exploitation and abuse while maintaining the least restrictive approach.

NSW Trustee & Guardian recognises that customers access their personal funds through a variety of ways. These include:

- NSW Trustee & Guardian directly depositing funds into customers' personal external bank accounts
- and/or authorising a third party to assist the customer to access their bank account.

NSW Trustee & Guardian may also provide funds to the customer through third parties and this is covered in the [Cash Handled by Third Parties for Financially Managed Customers Policy](#). This policy will provide NSW Trustee & Guardian with options to reduce the risk of financial exploitation to customers. This approach will be managed on a case by case basis.

## Policy statement

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The majority of NSW Trustee & Guardian customers access their allowances and funds through external arrangements, primarily through their personal bank account or a third-party service provider. This includes residential accommodation providers such as group homes funded by the National Disability Insurance Scheme (NDIS), assisted boarding houses and aged care facilities. The governance of each residential type varies according to their relevant legislation.

A number of customers live independently in the community, either in their own home or in rental accommodation. These customers ordinarily access their allowances through their personal bank accounts, either independently or with the assistance of a third party.

Customers have the right to expect that NSW Trustee & Guardian has appropriate strategies which balance their right to independence with the need to minimise the risk of exploitation. The level of oversight for each customer will depend on their individual circumstances including consideration of their capacity, formal and informal supports and previous history.

The use of preventative risk management strategies and ongoing monitoring are integral to reducing the likelihood of exploitation and abuse and increasing the likelihood of early detection.

## 1.1 External bank accounts

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The majority of NSW Trustee & Guardian customers access their funds through their personal bank accounts either independently or with the assistance of a third party. Supports provided by a third party for a customer to access their personal bank account presents the risk of financial exploitation including the fraudulent use of signatory access, accumulation of funds and use of Tap &Go.

## 1.2 NDIS group homes

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Customers who reside in NDIS group homes may have their allowances paid to their personal bank accounts which they access independently or with the assistance of a third party. Customers who are unable to operate a bank account or independently access the account may have their allowance paid to the service provider to handle for them as outlined in [Cash Handled by Third Parties for Financially Managed Customers Policy](#).

Group homes are overseen by the NDIS Quality and Safeguards Commission and are subject to the NDIS Practice Standards. These service providers need to provide details of their overarching cash handling policy and procedures together with an outline of the individual arrangements for each customer.

## 1.3 Assisted boarding houses

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Assisted boarding houses (ABHs) are boarding houses accommodating two or more people with additional needs and are governed by the [Boarding Houses Act 2012 \(NSW\)](#) and [Boarding Houses Regulation \(2013\)](#). ABHs are subject to less oversight than NDIS funded group homes and aged care facilities and therefore have an increased risk to residents. As NSW TG is the legally appointed Financial Manager, all boarding house proprietors must be advised of their accountability in order to ensure transparency. All proprietors must be made aware that:

- The customers have access to their bank account wherever possible
- Maintains a record of major expenses pertaining to NSW Trustee & Guardian customers
- Make available to NSW Trustee & Guardian on request financial records of funds received and disbursed.
- NSW Trustee & Guardian will undertake visits to review the financial records and interview customers in line with the Undertaking Customer Visits at offsite locations -- policy and procedures (in development).

## 1.4 Aged care facilities

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Aged care facilities provide accommodation and daily care for residents which includes arranging discretionary and comforts spending on their behalf. These expenses can be accounted for either through invoicing on Aged Care fee statements or through the customers' personal bank account. The Aged Care Facilities may support the customer if they are unable to independently operate their own bank account.

Aged Care Facilities are overseen by the Aged Care Quality and Safety Commission and must be compliant with the Aged Care Quality Standards.

## Scope

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Directly managed customers

## Legislative context

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- [NSW Trustee and Guardian Act 2009 \(NSW\)](#)
- [Guardianship Act 1987 \(NSW\)](#)
- [Boarding Houses Act 2012 \(NSW\)](#)
- [Boarding Houses Regulation \(2013\)](#)
- [National Disability Insurance Scheme Act 2013 \(Cth\)](#)
- [Aged Care Quality and Safety Act 2018 \(Cth\)](#)
- [Aged Care Act 1997 \(Cth\)](#)
- [Quality of Care Principles 2014 \(Cth\)](#)

## Document information

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<b>Owner:</b>	Manager Trustee Services
<b>Approver:</b>	Director Trustee Services
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