

Review of Decisions

We will clearly explain the reasoning behind substitute decisions. There are occasions where the Supreme Court may make decisions regarding a person's estate. Determinations made by the court are excluded from the substitute decision making process. We understand that customers and their family, close friends or guardians don't always agree with substitute decisions that are made and may want the decision reviewed. If you are unhappy about a decision, there is a review process you can follow.



Step 1: Internal review

If you disagree with a decision made by NSW Trustee & Guardian, you can ask the manager of your financial management team to informally review the decision. However, some decisions – particularly significant decisions – may be reviewed under a more formal process. In these situations, you must first ask for what is known as an internal review. This should be done in writing and within 28 days of being informed of NSW Trustee & Guardian's decision.

This review will be carried out by a senior staff member at NSW Trustee & Guardian who was not involved in the initial decision. They will write to you within 21 days explaining the result of their review.

Please write to our Customer Resolution Coordinator to request a review of decision:

**Customer Resolution Coordinator
NSW Trustee & Guardian**

Locked Bag 5115
Parramatta NSW 2124

Email: tagmail@tag.nsw.gov.au

In your letter, please request a review of decision and outline why you think the decision was not made in your best interests.



Step 2: External review

If you are not satisfied with the result of the review of decision, you can ask the Administrative and Equal Opportunity Division of the NSW Civil & Administrative Tribunal (NCAT) to review the decision. This must be done within 28 days from the date you received the outcome of the review of decision by NSW Trustee & Guardian.

An application to the Administrative and Equal Opportunity Division, NCAT is not available where NSW Trustee & Guardian made a decision in accordance with a direction given by the Supreme Court to NSW Trustee & Guardian.

Applying to have a decision reviewed by the Administrative and Equal Opportunity Division, NCAT

For an application to the Administrative and Equal Opportunity Division, NCAT to review a decision, it can be made by:

- the customer in respect of whose financial affairs the decision was made
- the spouse of the customer
- any other person whose interests are, in the opinion of the Administrative and Equal Opportunities Division NCAT, adversely affected by the decision.