

ROLE DESCRIPTION

For the role of Director, Financial Performance and Investments
NSW Trustee & Guardian



To protect, promote and support the rights, dignity, choices and wishes of our customers

NSW TRUSTEE & GUARDIAN

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NSW Trustee & Guardian (NSWTG) was created by the *NSW Trustee and Guardian Act 2009* and commenced operations on 1 July 2009, following the merger of the Public Trustee NSW and the Office of the Protective Commissioner. The Protective Commissioner previously held the position of Public Guardian.

NSWTG is a statutory agency within the Stronger Communities Cluster that supports the Chief Executive Officer and the Public Guardian, to protect and promote the rights, dignity, choices and wishes of the people of New South Wales. Currently, NSWTG supports over 35,000 customers annually and administers in excess of \$6 billion in client assets.

NSWTG provides independent and impartial financial management, guardianship and trustee services that support clients and help them manage their health, lifestyle and financial affairs when they are unable to do so themselves and ensure that their wishes are respected when they pass.

NSWTG services help support and protect some of the most vulnerable members of the NSW community as well as supporting people at vulnerable moments in their life. Under the governing legislation, NSWTG may be appointed to act as:

- Executor and administrator of deceased estates
- Trustee
- Financial manager
- Guardian
- Agent or attorney
- Collector of estates
- Guardian or receiver of estates of minors
- Receiver of any property

PURPOSE

The purpose of NSWTG is to protect, promote and support the rights, dignity, choices and wishes of their customers.

This is done by providing support and making decisions at critical moments in customers' lives as the NSWTG acts as an independent and impartial executor, attorney, trustee, guardian, manager and advocate.

FOR MORE INFORMATION ON THE NSW TRUSTEE & GUARDIAN

NSWTG website [Click here](#)

NSWTG Our Strategy 2019 – 2025 [Click here](#)

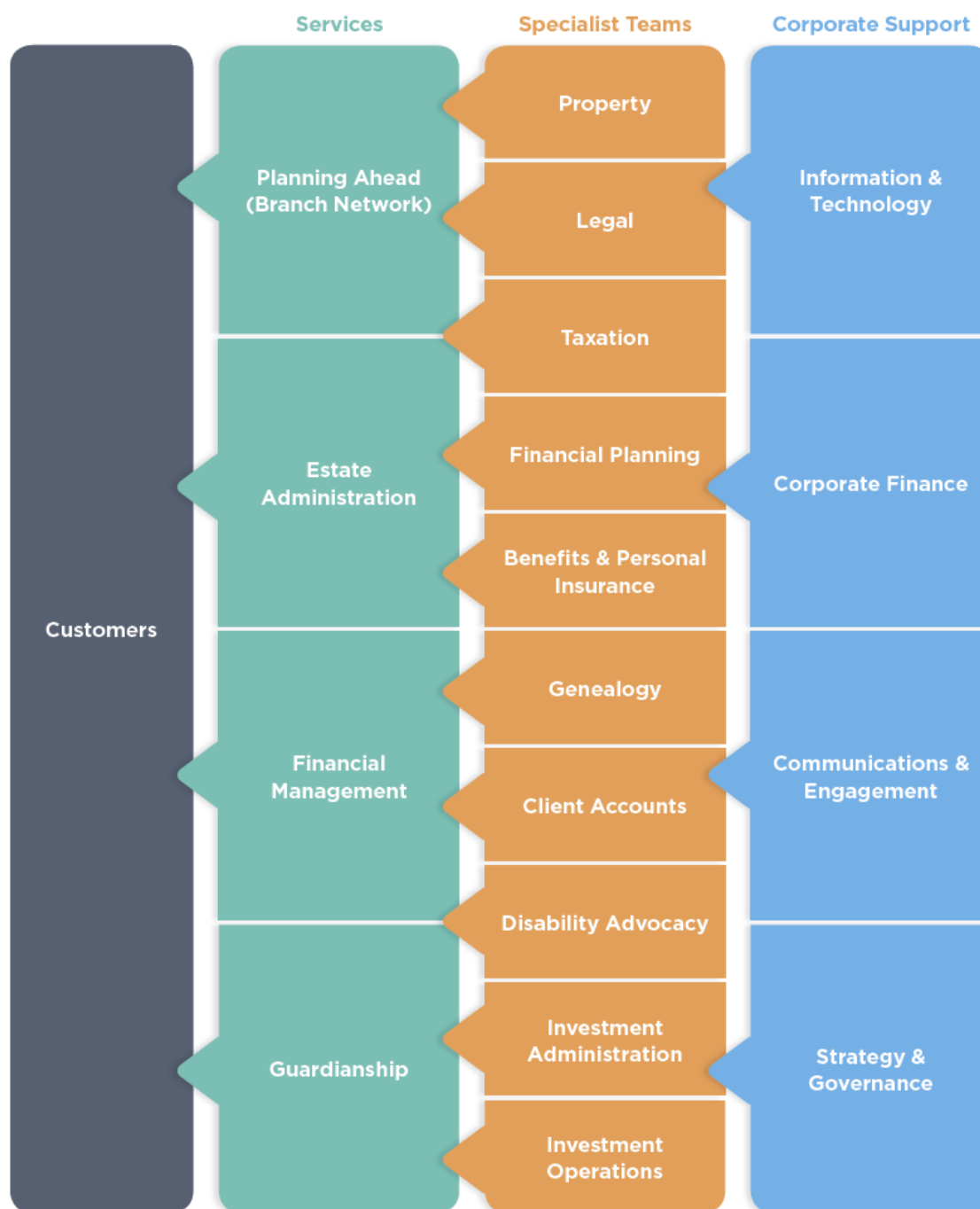
NSWTG recent annual reports [Click here](#)

ROLE PROFILE

Director, Financial Performance and Investments | NSW Trustee & Guardian

THE BUSINESS

NSW Trustee & Guardian's business is complex and unique. It supports four main service areas with a range of specialist advisory and corporate support teams.



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MAJOR SERVICES DELIVERED BY THE NSW TRUSTEE & GUARDIAN

The Director, Service Delivery is responsible for three of the four major services delivered by NSW TG. Planning Ahead, Estate Administration and Financial Management are led by the Director, with the Service Delivery Management Team. The NSW Public Guardian is responsible for the Guardianship function.

SUCCESSION, ESTATE ADMINISTRATION AND TRUSTEE

Planning Ahead

The planning ahead services focuses on ensuring customers are supported when they lose capacity and that their wishes are appropriately documented. Key services include:

- Drafting and executing Wills
- Drafting and executing Enduring Powers of Attorney
- Drafting and executing Enduring Guardianship appointments
- Community education
- Providing Will Safe, a long-term Will storage solution

Estate Administration

The estate administration services manage short and long-term estates including cash, real property and a range of investments. As an executor or administrator of a deceased estate, NSW TG obtains administration (probate), identifies, secures and realises assets and distributes the proceeds and assets to beneficiaries. NSW TG also:

- Manages trusts including damages trusts, workers compensation trusts for minors, court appointed or other trusts
- Acts as an attorney under an Enduring Power of Attorney for customers without an appropriate person in their lives
- Manages the forfeiture of seized assets on behalf of the Crown
- Holds court investments for matters under UCPR
- Deals with dormant funds
- Manages real property investments related to estates and trusts

PROTECTIVE

Direct and Private Financial Management

The NSW Trustee can be appointed by a court or tribunal to make legal and financial decisions for someone who is not capable of managing their own affairs and where there is no appropriate private manager. A private manager when appointed is supervised by the NSW Trustee to protect individuals from financial abuse. The majority of our customers have intellectual or psychiatric conditions, mental health issues or are living with dementia. For directly managed clients, NSW TG:

- Secures and collects assets, income and entitlements
- Pays expenses and debts and budgets for lifelong expenditure
- Invests financial assets and undertakes financial planning
- Secures and manages Centrelink/DVA benefits, Medicare, personal insurances, etc.
- Lodges tax returns and pays obligations such as child support
- For private managers, NSW TG:
 - Issues authorities and directions
 - Monitors annual accounts for compliance

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Guardianship

The Public Guardian is appointed by a court or tribunal to make health, medical, dental, lifestyle, services and accommodation decisions for customers who cannot do so for themselves. The Public Guardian also:

- Provides information and support to private guardians
- Support represented persons with the NDIS
- Advocates for the preferences and needs of represented persons to maximise their freedom and wellbeing

NSWTG CUSTOMER BASE

Customers are the people NSWTG engage with regularly. We use the term 'customer' as an inclusive term to describe the different people or groups we consider as our customers. The profile of the NSWTG customer base is changing and the organization is working to respond to these changes.

INCREASING DEMAND

The NSW population is growing, but also ageing, which means fewer working age people. The population is also becoming more diverse, with a greater proportion of people coming from overseas. Over the next ten years, there is expected to be an increase of 50% in the number of Australian's living with dementia.

Together, a growing population, that is more diverse and with a higher proportion living with disability, demand for NSWTG services is growing rapidly. As the provider or representative of last resort, NSWTG must adjust to meet this demand.

CHANGES IN WHAT NSWTG CUSTOMERS NEED

Changes in the complexity of what services and support NSWTG customers need are driven by a range of factors. One example is the National Disability Insurance Scheme (NDIS). The NDIS will drive changes to the range of support and decisions NSWTG will need to provide to customers with disabilities.

The Law Reform Commission's review of the *Guardianship Act 1987* may lead to changes in services. In addition, Royal Commissions in both the aged care, and people with disability sectors will likely change what customers need from NSWTG.

These changes and the increasing complexity of NSWTG customers' personal needs in regards to their circumstances mean NSWTG will need to remain focused on delivering quality while listening to what their customers tell them they need.

CHANGES IN WHAT NSWTG CUSTOMERS EXPECT

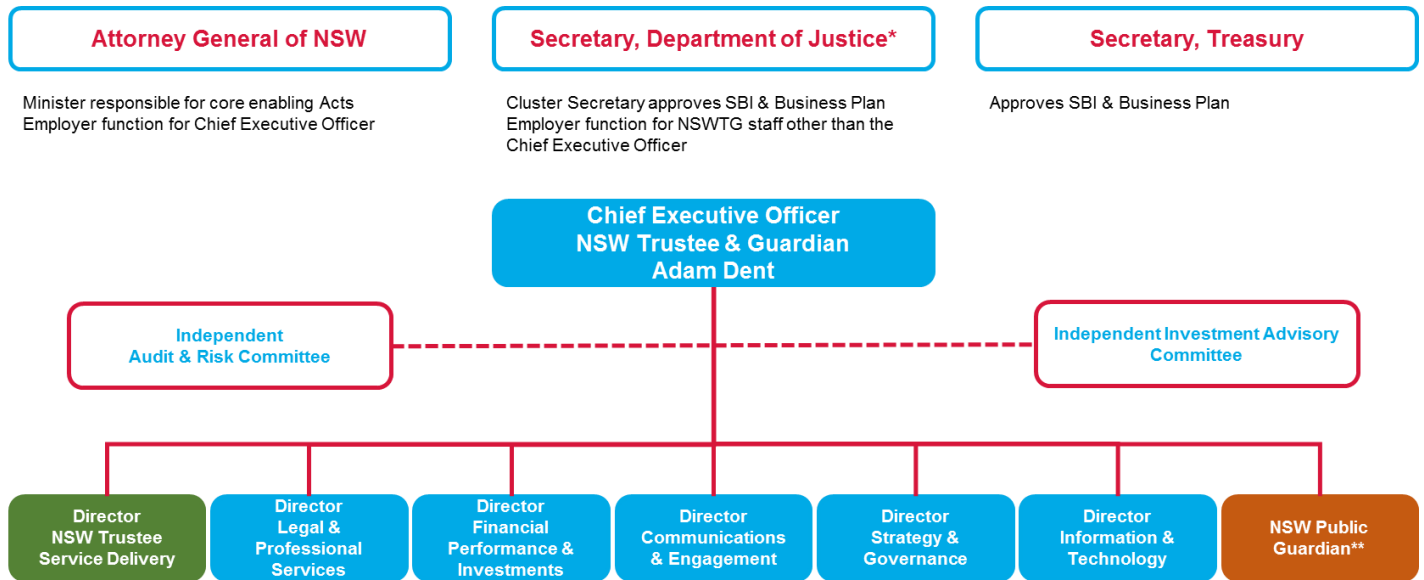
Technology improvements and digital innovations offer opportunities to improve what NSWTG offer to customers, and how they engage with them. NSWTG will need to ensure service delivery and business processes are consistent, transparent and reliable. Improvements in technology need to deliver better results for customers without compromising decision making or increasing risk.

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GOVERNANCE

The NSW TG is a non-budget dependent government agency in the Strong Communities Cluster. The Chief Executive is supported in delivering his statutory functions and in managing the agency by independent advisory committees and an executive leadership team.



Key:

Shared role supports whole organisation

NSW Trustee functions only

NSW Public Guardian functions only

* Until 1 July, 2019 – then the Cluster Secretary for Stronger Communities

* The NSW Public Guardian reports to the CEO but makes decisions relating to their statutory functions under the Guardianship Act 1987 independently.

LOCATION

NSWTG customers come from all parts of NSW and in a number of cases, interstate or overseas.

The NSW Trustee and Guardian is based in the Justice Precinct Offices at Parramatta with 11 offices across metropolitan and regional NSW.

Planning ahead services are delivered through the branch network of nine offices using an outreach model. Each year, planning ahead staff execute over 13,000 instruments either in branch or at one of the 517 plan ahead days conducted in towns and suburbs across the state.

Estate administration services are delivered primarily from the Parramatta Service Centre and from seven of the branch offices in regional NSW.

Direct and privately managed clients are supported from the Parramatta and Newcastle service centres. Clients with the highest needs are supported face to face in the Client Specialist Centre in Surry Hills.

Guardianship services are managed from regional offices in Parramatta, Sydney CBD and Gosford. Guardians are routinely on the road to support clients directly.

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ROLE DESCRIPTION

Director, Financial Performance and Investments

Cluster	Justice		
Division/Branch/Unit	NSW Trustee & Guardian		
Location	Parramatta		
Classification/Grade/Band	Senior Executive Band 1		
Senior Executive Work Level Standards:	Professional /Technical / Specialist		
ANZSCO Code	132211		
Role Number	50004612		
PCAT Code	2133792		
Date of Approval	25 April 2019	Ref: B1/0212	
Agency Website	www.tag.nsw.gov.au/		

Primary purpose of the role

Lead a division responsible for corporate budgeting and performance along with management and investment of customer funds. The Director, Financial Performance & Investments is responsible for the efficient management of approximately two million transactions per year with a value of approximately \$3.5bn. The Director manages the performance of both internally and externally managed investments with the aim of delivering sound returns for customers. As a member of the Executive Team, the Director plays a key role in NSW Trustee & Guardian corporate planning, decision-making and implementation.

Key accountabilities

- Oversee the financial management of NSW TG and take overall responsibility for financial planning, budgeting, insurance and detailed performance reporting to ensure that NSW TG's key business and strategic directions are informed by high quality financial information and a rigorous and expert assessment of financial considerations.
- Oversee investment of pooled customer funds through multiple common funds, and manage outsourced functions including custody, fund management, fund accounting, unit pricing and maintaining registers of customer investments.
- Oversee transaction management and administration for customers' financial assets covering both investments in the common funds and assets held outside the common funds, including superannuation.
- Ensure all requirements for financial reporting, auditing and financial statements in respect of both NSW TG and the common funds are met, and manage implementation of the agreed recommendations arising from the annual financial audits.
- Oversee the financial management of transactions relating to customers' trust accounts including receipts and payments, and manage the performance of outsourced functions including data capture and scanning.

- Oversee, monitor and advise on the viability and risk of finance and funding strategies, products, services, markets and investments, and implement financial, commercial and risk management arrangements to enhance viability at an acceptable level of risk.
- Direct the development and implementation of procedures and controls, decision making protocols and governance frameworks and processes across the Financial Performance & Investments division and support the development and implementation of strategies to deliver strong customer experience, efficient performance and a strong understanding of and focus on customers across NSW TG.
- Provide key strategic and operational decision support, including organisation-wide planning and policy setting for NSW TG as a member of the Executive Leadership Team.

Key challenges

- Leading and managing a substantial portfolio of investments while balancing financial risk management, operational effectiveness and serving the needs of vulnerable customers through maximising returns.
- Balancing short term concerns and pressures, such as managing cash, liquidity and profitability with long-term vision and sustainable organisational success.
- Achieving a culture which embraces change and innovation, continuous development and improvement to service offerings while maintaining commitment to high levels of efficiency and customer service.

Key relationships

Who	Why
Internal	
Chief Executive Officer	Report to and provide advice on the Financial Performance & Investment functions of NSW TG and the broader organisation. Act as the principal advisor to the Chief Executive Officer on investment strategies for customer funds.
Oversight and advisory committees	Oversee the operation of the Independent Investment Advisory Committee to ensure it fulfils the charter including oversight of the common funds and provides advice and recommendations to the Chief Executive in regard to the management of investments and financial planning strategy. Contribute to good governance by actively engaging with and supporting the work of the Independent Audit and Risk Committee.
NSW TG Executive Leadership Team	Work collaboratively with NSW TG Executive Leadership Team to take a whole of organisation approach to improving operations and customer experience.
General staff and management within the NSW TG	Provide advice regarding financial issues to improve business unit performance. Provide advice and education regarding financial issues to enhance skills and business unit performance, including budget management. Provide leadership, advice and support in the implementation of strategies and policies and management of activities.

Who	Why
External	
Custodian, Fund Accountant, Registry Services and unit pricing providers	Secure holding of customers' investments and industry best practice adopted in valuing the investment funds
Network of Investment Analysts/Managers	<p>Obtain market analysis and views on trends.</p> <p>Liaise with Funds Managers regarding applications for and redemptions of customer investments, investment approach and achievement of investment goals.</p> <p>Ensure customers and NSW TG receive expected returns on investments.</p>
Audit Office	Compliant corporate and common fund financial statements.
Business partners, alliances and systems vendors	<p>Negotiate to acquire and direct services.</p> <p>Contribute to critical negotiations with prospective business partners and alliances and with vendors of systems and services.</p>
TCorp (Treasury Corporation)	Manage the ongoing relationship with TCorp and negotiate in relation to NSW TG investments held with TCorp.
NSW Treasury	Work with Treasury colleagues to negotiate annual budgets, new policy proposals, capital expenditure and other matters determined under Treasury commercial policy.

Role dimensions

Decision making

The role makes decisions and is fully accountable for the leadership and management of Financial Performance and Investment operations (including day-to-day investment decisions), performance targets and service delivery. The role is required to make decisions regarding staffing allocation and effective management of the budget including exercising financial delegations, monitoring and reporting on budget performance.

This role is responsible for exercising relevant administrative delegations for NSW TG. This role has up to \$500,000 for corporate financial delegations, and substantial delegations in relation to customer funds and investments in some cases unlimited delegation is exercised in accordance with CEO Delegations.

The role is a member of NSW TG Executive and is a decision maker on a range of NSW TG issues, setting the strategic direction of NSW TG and allocation of budget and resources aligned to the corporate plan.

Consultation with the Chief Executive Officer takes place as necessary, on substantial decisions, sensitive matters and those with potential political implications and/or media interest.

Reporting line

This role reports to the Chief Executive Officer, NSW Trustee & Guardian.

Direct reports

This role has five direct reports

Budget/Expenditure (not including customer expenditure)

The Director Financial Performance & Investments supports the Chief Executive Officer with the overall stewardship of the agency's budget. At an agency level, the overall budget including capital expenditure is approximately \$100m.

Division budget FY19 Expenditure (including personnel): \$5.2m

Essential requirements

- Demonstrated understanding of the public sector and government financial arrangements and procurement framework.
- Relevant investment or accounting related qualifications and membership of appropriate recognised professional body.
- Experience in the management, operation and accounting for large investment portfolios including cash, cash deposits, hedging, managed investment funds and passive investment management strategies



Capabilities for the role

The NSW Public Sector Capability Framework applies to all NSW public sector employees. The Capability Framework is available at <http://www.psc.nsw.gov.au/Sector-Support/Capability-Framework/Tools-and-Resources>



Capability summary

Below is the full list of capabilities and the level required for this role. The capabilities in bold are the focus capabilities for this role. Refer to the next section for further information about the focus capabilities.

NSW Public Sector Capability Framework

Capability Group	Capability Name	Level
 Personal Attributes	Display Resilience and Courage	Advanced
	Act with Integrity	Highly Advanced
	Manage Self	Advanced
	Value Diversity	Adept
 Relationships	Communicate Effectively	Advanced
	Commit to Customer Service	Advanced
	Work Collaboratively	Advanced
	Influence and Negotiate	Advanced
 Results	Deliver Results	Highly Advanced
	Plan and Prioritise	Advanced
	Think and Solve Problems	Advanced
	Demonstrate Accountability	Advanced

NSW Public Sector Capability Framework

Capability Group	Capability Name	Level
 Business Enablers	Finance	Highly Advanced
	Technology	Adept
	Procurement and Contract Management	Advanced
	Project Management	Advanced
 People Management	Manage and Develop People	Advanced
	Inspire Direction and Purpose	Advanced
	Optimise Business Outcomes	Advanced
	Manage Reform and Change	Advanced

Focus capabilities

The focus capabilities for the role are the capabilities in which occupants must demonstrate immediate competence. The behavioural indicators provide examples of the types of behaviours that would be expected at that level and should be reviewed in conjunction with the role's key accountabilities.

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
Personal Attributes Act with Integrity	Highly Advanced	<ul style="list-style-type: none"> Champion and act as an advocate for the highest standards of ethical and professional behaviour Drive a culture of integrity and professionalism across the organisation, and in dealings cross-government, cross-jurisdiction and outside of government Define, communicate and evaluate ethical practices, standards and systems and reinforce their use Create and promote a climate in which staff feel able to report apparent breaches of rules, policies and guidelines and act promptly and visibly in response to such reports
Relationships Communicate Effectively	Advanced	<ul style="list-style-type: none"> Present with credibility, engage varied audiences and test levels of understanding Translate technical and complex information concisely for diverse audiences Create opportunities for others to contribute to discussion and debate Actively listen and encourage others to contribute inputs Adjust style and approach to optimise outcomes Write fluently and persuasively in a range of styles and formats
Relationships Commit to Customer Service	Advanced	<ul style="list-style-type: none"> Promote a culture of quality customer service in the organisation Initiate and develop partnerships with customers to define and evaluate service performance outcomes Promote and manage alliances within the organisation and across

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
		<p>the public, private and community sectors</p> <ul style="list-style-type: none"> • Liaise with senior stakeholders on key issues and provide expert and influential advice • Identify and incorporate the interests and needs of customers in business process design • Ensure that the organisation's systems, processes, policies and programs respond to customer needs
Relationships Influence and Negotiate	Advanced	<ul style="list-style-type: none"> • Influence others with a fair and considered approach and present persuasive counter-arguments • Work towards mutually beneficial win/win outcomes • Show sensitivity and understanding in resolving acute and complex conflicts • Identify key stakeholders and gain their support in advance • Establish a clear negotiation position based on research, a firm grasp of key issues, likely arguments, points of difference and areas for compromise • Pre-empt and minimise conflict within the organisation and with external stakeholders
Results Deliver Results	Highly Advanced	<ul style="list-style-type: none"> • Create a culture of achievement, fostering on-time and on-budget quality outcomes in the organisation • Identify, recognise and celebrate success • Establish systems to ensure all staff are able to identify direct connection between their effort and organisational outcomes • Identify and remove potential barriers or hurdles to ongoing and long term achievement of outcomes • Initiate and communicate high level priorities for the organisation to achieve government outcomes • Use own professional knowledge and expertise of others to drive organisational and government objectives forward
Results Think and Solve Problems	Advanced	<ul style="list-style-type: none"> • Undertake objective, critical analysis to draw accurate conclusions that recognise and manage contextual issues • Work through issues, weigh up alternatives and identify the most effective solutions • Take account of the wider business context when considering options to resolve issues • Explore a range of possibilities and creative alternatives to contribute to systems, process and business improvements • Implement systems and processes that underpin high quality research and analysis
Business Enablers Finance	Highly Advanced	<ul style="list-style-type: none"> • Apply strategic management of financial and budgetary compliance and governance responsibilities within the organisation • Define organisational directions and set priorities and business plans with reference to key financial indicators

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
		<ul style="list-style-type: none"> • Anticipate operational and capital needs, and identify the most appropriate financing and funding strategies to meet them, through direct provision or purchase of services • Ensure that the organisation informs strategic decisions with appropriate advice from finance professionals • Establish effective governance to ensure the ethical and honest use of financial resources across the organisation • Actively pursue financial risk minimisation strategies, plans and outcomes for the organisation
Business Enablers Procurement and Contract Management	Advanced	<ul style="list-style-type: none"> • Ensure that government and organisational policy in relation to procurement and contract management is implemented • Monitor procurement and contract management risks and ensure that this informs contract development, management and procurement decisions • Take responsibility for procurement and contract management activities and decisions by applying the guidelines and procedures • Promote the principles of risk management as applied to procurement projects, to identify and mitigate risk • Implement effective governance arrangements to monitor provider, supplier and contractor performance against contracted deliverables and outcomes • Represent the organisation in the resolution of complex/sensitive disputes with providers, suppliers and contractors
People Management Manage and Develop People	Advanced	<ul style="list-style-type: none"> • Refine roles and responsibilities over time to achieve better business outcomes • Recognise talent, develop team capability and undertake succession planning • Coach and mentor staff and encourage professional development and continuous learning • Provide timely, constructive and objective feedback to staff • Address and resolve team and individual performance issues, including serious unsatisfactory performance, in a timely and effective way • Implement performance development frameworks to align workforce capability with the organisation's current and future priorities and objectives
People Management Inspire Direction and Purpose	Advanced	<ul style="list-style-type: none"> • Promote a sense of purpose and enable others to understand the links between government policy and organisational goals • Build a shared sense of direction, clarify priorities and goals and inspire others to achieve them • Work with others to translate strategic direction into operational goals and build a shared understanding of the link to core business outcomes

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
		<ul style="list-style-type: none">• Create opportunities for recognising and celebrating high performance at the individual and team level• Work to remove barriers to achievement of goals