

Your right to request a review of a decision

Office of the Public Guardian - Fact Sheet

This fact sheet explains how you can request a review of a decision made by the Public Guardian (OPG). An Easy Read version of this factsheet is available on our [website](#).

What does the Office of the Public Guardian (OPG) do?

The OPG is part of the NSW Department of Justice. The Public Guardian represents people with impaired decision making ability and is appointed by the Guardianship Division of the NSW Civil and Administrative Tribunal (NCAT) or Supreme Court. The OPG is appointed to make health and lifestyle decisions for people who are unable to make decisions with informal support. The OPG's decision making authority is detailed in the represented person's guardianship order.

What if you disagree with a decision made by the OPG?

If you disagree with a decision the OPG has made, you can ask for a review of the decision. The steps in the process are explained below.



Ask your guardian for the 'Reasons for the Decision' report

You have 28 days from when you receive the decision to ask for the reasons for the decision in writing, the guardian has 28 days to send you this report.



If you're still not happy with the decision request an internal review

You have 28 days after receiving the 'Reasons for the Decision' report to write to us and request an internal review.



We respond

A reviewing officer who wasn't involved in the decision will conduct a review and respond to you in writing within 21 days of receiving your request for a review.

There are some requests for reviews we cannot respond to:

- ✘ Requests made more than 28 days after receiving the decision
 - ✘ Requests about decisions we have already reviewed
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What if you are unhappy with the outcome of the internal review?

The reviewing officer decides whether the original decision stays the same (is upheld), is changed (set aside), or needs more investigation (varied). If you disagree with the outcome of the internal review you can request an external review through the Administrative and Equal Opportunity Division of the NSW Civil and Administrative Tribunal (NCAT). An application to review the decision must be made to NCAT within 28 calendar days of receiving our internal review of decision report.

For more information contact **NCAT on 02 9377 5711** or www.ncat.nsw.gov.au.

What if you want to stop the Public Guardian implementing a decision?

You can ask the Administrative and Equal Opportunity Division of NCAT to stop the Public Guardian's decision from being implemented. This is called a 'stay of decision'. For more information, contact NCAT.

What to do if you want to make a complaint?

Complaints are different from decisions. A complaint will not change a decision and a separate process is available for your complaints to be considered. If you want to make a complaint about the conduct of OPG staff or our policies or processes, a complaints *fact sheet* is available on our [website](#).

How to contact us about decisions we have made



For information about requesting a review of a decision or if you need support to communicate your request, contact a Complaint Support Officer on:

02 8688 6070
1800 451 510 for country callers



To send us your request, or contact us with a question, email us at: informationssupport@opg.nsw.gov.au

You can also visit our website: www.publicguardian.justice.nsw.gov.au



You can write to us at:

Public Guardian
Locked Bag 5116
Parramatta NSW 2124



You can fax us on:
02 8688 9797



You can also contact us through the National Relay Service on:
1800 882 889



If English is your second language, you can contact us through the Translating and Interpreting Service on 131450.