

## **View of Guardianship and Administration services from an aged care homeless service provider – Wintringham.**

### **Alice Rota-Bartelink**

Wintringham is a not-for-profit welfare company established in 1989 to provide high quality care to elderly men and women who are homeless or at risk of becoming homeless. Wintringham's services include three low care residential facilities supporting 129 residents and a newly built Ron Conn Nursing Home in Avondale Heights which provides high care support to 60 residents. Wintringham also manages 271 Community Aged Care Packages providing home based care in the southern, northern and western regions of Melbourne, five housing sites which accommodate 140 residents and an extensive Outreach Program. The Outreach Program is funded by both the Commonwealth ACHA program and the State Government Community Connections Program. The organisation also delivers an extensive recreation program which runs across all Wintringham sites. In all we now provide services to 750 people each night.

Wintringham has a long and established history of working with OPA and Administration services. The strength of this mutual relationship lies in shared underlying philosophies and core values around the quest to improve the quality of life for a person in need. The relationship between our services is symbiotic, with one not being able to effectively function without the other. Our staff trust and rely on the expertise of the guardian and administrator to support the care needs of their clients. Similarly, the guardian and administrator rely on our staff to work as an effective team in reaching an appropriate and positive outcome for their client.

Wintringham staff generally gather a working knowledge on guardianship and administration services through first-hand workplace experience, from colleagues and from management. Other resources frequently accessed are: the Office of Public Advocate's hotline and website, liaising with the referring Aged Care Assessment Service (ACAS) worker, liaising with the Client's Guardian and Administrator, attending VCAT Hearings, attending occasional in-house training sessions, attending community forums, and attending monthly in-house case review meetings

In the majority of cases, the most intense and demanding period of our involvement with guardianship and administration services usually occurs simultaneously with a period of major upheaval for the client. A sudden deterioration in health or occasionally, personal well-being are most common factors leading to the decision that a client's current accommodation and services no longer meet their needs. It is the inability of many clients to accept the need for relocation which often leads to a referral for Guardianship. Clients are often reluctantly aware that the appointment of a guardian and/or an administrator together with entry into an aged-care facility will result in a significant reduction in their level of independence and freedom of choice. Unfortunately, much of the Client's initial anger and frustration is directed to our care staff and we are mindful that regular debriefing sessions may be required to ensure

that this negativity is not relayed to other staff, clients or service providers. We are acutely aware of the gravity and significance of appointing a guardian or administrator. Referrals are only made after full consideration of all other options which are informed by Wintringham's specialist knowledge on the support needs and requirements of older homeless people. Potential referrals are reviewed and approved by a quorum of specialist staff members and ratified by a member of senior management. The need for urgent referral (24 hours) is rare with most approvals being received within seven days.

## **Guardianship**

Approximately 50% of newly admitted Wintringham residential aged care residents are receiving guardianship support through the Office of Public Advocate (OPA). At this time the guardian is principally involved in the selection of the most appropriate accommodative setting for their client and assisting their smooth relocation into their new place of residence. Most new residents are reluctant to enter an aged care facility and therefore benefit from guardianship support throughout this transition. The duration of this support lasts approximately three to six months after which time the resident has usually successfully settled into their new environment. The majority of clients who are referred by guardians to Wintringham residential services have previously lived in Office of Housing, community housing, inexpensive private rental or have been homeless. Most commonly, Client's are referred to Wintringham because their previous place of residence was no longer appropriately meeting their needs. This can be due to changes in their cognitive ability, changes in their mobility restricting access and issues around cleanliness. Very often, clients have insufficient funds to maintain their place of residence due to expenses often attributed to the cost of purchasing alcohol or gambling. Less than ten percent of clients currently serviced by Wintringham's Community Care or Housing programs have an appointed guardian or administrator.

Applications to VCAT by clients' case managers are only made after all other options and strategies have been exhausted. The process of referral to OPA for the appointment of a guardian is often delayed by difficulty encountered in procuring the mandatory corroborating evidence of a client's incapacity to make their own decisions. This evidence is sought from General Practitioners (GPs), medical specialists such as Geriatricians and Neuropsychologists and ACAS. There is perceived to be a general reluctance by GPs to declare that a patient is mentally incapacitated. Although a Specialist's report is not mandatory, they do make the process of approval much smoother with the outcome of the VCAT hearing rarely requesting further investigation. For new staff, attending a VCAT hearing as a representative of the client and Wintringham can be perceived as a daunting process. Therefore it is usual for two staff members to attend with at least one member having extensive experience with Wintringham services and VCAT processes.

The working relationship between our staff and a client's guardian is seen to be positive, and effective in reaching decisions made in the best interests of the client. Understandably, there are differences in the individual styles employed by guardians particularly with regard to the frequency and effectiveness of communication with clients and their care staff. Similarly, because our staff are often responsible for managing the day-to-day challenges presented by a Client's complex needs and behaviours, these frustrations may affect the way in which they engage with guardians. A good guardian is seen to be someone who has a good understanding and empathy for their client and their special needs while understanding and respecting Wintringham's policies, processes, and level of specialist expertise. With this understanding

Guardians can avoid exploring options for care that have already been trialed or are advised against by our staff who have an intricate working knowledge of a Client's individual needs and capabilities.

In the process of relocating a client from their place of residence, an advocate greatly assists our staff by taking a principal role in making decisions on their residential placement. They are also seen to assist in making crucial medical decisions on the resident's behalf and by referring clients to rehabilitative or detoxification services if required. Most importantly, the guardian is seen to act as an independent party in the care management of a resident, and is dedicated to serving the goals of the individual. A guardian can assist our staff by acting as a liaison in situations when the client is seen to be uncooperative or continually refuses to participate in daily routines or care plans. They also assist by undertaking whatever fieldwork may be required to facilitate their client's needs and by completing administrative paperwork relevant to their client's care in liaison with the client, our staff and the staff of other services currently providing for the client. A client referred to Wintringham residential services by a guardian is generally less resistive to entry into the facility because of their guardian's support. The relationship between Wintringham clients and their guardians appears to be a positive one, although most clients do not fully understand the role of their guardian due to cognitive impairment. The frequency and quality of interaction between the guardian, the resident and our staff is seen as key indicators to the effectiveness of this relationship. At the point in time when the guardian's support is no longer required and the service is withdrawn; there is good acceptance and an aspect of liberation for the resident.

## **Administration**

Approximately 70% of newly admitted residents to our residential aged care services are already under administration. This support usually continues indefinitely as the likelihood of improvement in a resident's ability to self-manage their finances is extremely rare. The most common reason for a resident to require an appointed administrator is a reduced capacity to manage finances due to cognitive changes as a result of alcohol-related brain damage, however other causes of cognitive impairment are also common. Other common reasons include; gambling, 'elder abuse' by relatives who abuse their position to gain personal financial advantage over the client's income or assets, physical limitations in a client's ability to self-manage finances (ie. a visual impairment), and a risk of homelessness due to rent arrears and debt. For clients who excessively consume alcohol, the appointment of an administrator is often seen by service providers as an effective tool in managing the amount of funds available to purchase alcohol and therefore managing the amount of alcohol consumed.

The process of referral to VCAT for the appointment of an administrator is seen to be much easier than that for guardianship because it is generally easier to prove that a person is financially incompetent based on bank statements, invoices and debt notices. The process of approval by VCAT is seen to be similar to that of guardianship. Wintringham's residential facilities have enjoyed a successful working relationship with State Trustee appointed administrators who have developed a strategy whereby one principal administrator has responsibility for all of the appointed residents within the one facility. This strategy has built an environment of mutual respect and understanding and facilitated prompt and effective resolution to financial problems. The working relationship between our staff and a client's administrator relies strongly on telephone communication. Therefore in a situation where we

are not familiar with the administrator and their style of service delivery, the relationship can be seen to be cold and impersonal. This may then affect the outcome of requests by us for modification to a client's funds allocation due to a change in circumstances or for ad hoc purchases or payments. Prior to making such requests, all alternative options and aspects of the client's need are taken into consideration by our staff. An administrator, who is familiar with this process and respects the professionalism of the staff, understands that such requests are well informed and not made lightly. Through this understanding, the process of applying for and facilitating amendments in the allocation of funds on behalf of a client becomes much more efficient and effective.

As the Administrator's role is to serve the client and not the facility, justifiably their preference is to communicate or correspond directly with the client; however the facility managers are often the people responsible for managing the day-to-day funds allocation on behalf of the client. This poses a problem when clients are informed of changes to their entitlements and not the facility manager. On some occasions the facility manager has not aware of such changes until such time when a client reports directly to them or the changes appear in the Client's bank statement. At this stage, the client may be upset by the decision and our staff are faced with not only trying to understand and manage the client's concerns, but also readjusting their budgets to facilitate the change.

For our staff, one of the main advantages in a client having an appointed administrator is that the administrator takes a principal role in making independent financial decisions on behalf of the client. The secondary effect of providing a means to control the amount of disposable income available to the client cannot be overlooked. This process has been successfully employed to manage excessive alcohol and tobacco consumption, gambling debt and other impulse purchases and unnecessary expenditure.

As with guardianship, many Wintringham clients do not fully understand the role of their administrator due to cognitive impairments, although most are acutely aware that the administrator plays a significant role in their loss of financial control. Some clients have complained that they are, "treated like children" by their administrators and invariably all clients believe that they are not left with enough disposable income to meet their daily requirements. We believe that much of this resentment originates from the previous lifestyle of most of Wintringham clients who have never had experience with planning and budgeting for long-term savings such as funeral plans etc.

As with the appointment of a guardian, many clients feel anger, frustration and confusion about the significant life changes that occur as the result of having an appointed administrator. Often this negativity is transferred to our care staff. Because the appointment of an administrator is usually a long-term proposition, all effort must be made to maintain a positive and productive relationship between our staff and administrators, under what must sometimes be extremely challenging circumstances. In the facilities where this has been successful, the result has been a good rapport and an environment of mutual understanding and respect between all parties.

## **Suggestions and Conclusion**

Wintringham, OPA and Administration services have been faced with the job of supporting the needs of individuals with arguably the most challenging and complex needs of the entire population. Most of our clients have a long and established history of mental, social and/or

behavioural disorders. All three services have successfully worked together in a co-dependent relationship - all with the one overall aim to improve the lives of the people who have been entrusted to our care. Regular and open lines of communication help to maintain and improve these relationships.

Based on the success of the State Trustee model we would recommend that OPA consider allocating guardians to support more than one resident within the one residential facility. This would facilitate a consistency of approach and further improve the rapport between clients, Wintringham staff and other service providers. This approach could also assist the guardian in understanding Wintringham's policies and procedures, as well as the level of expertise that exists within the facility and the interrelationships between residents and staff.

We would also suggest that administration organizations consider broadening their role by offering financial advice and training to their clients particularly with regard to managing debt and controlling expenditure. We would also suggest that administrators take a more active role in advocating for their clients with regard to financial matters. With regard to improving communication and understanding between service providers, the OPA and State Trustees, more frequent and ongoing in-service training sessions could be jointly arranged, particularly with regard to policies and procedures, the process of allocating clients to guardians and administrators, and grievance policies and procedures.