



## Minutes

### Agenda Item 1 Welcome, apologies and conflicts of interest

The Chair opened the meeting acknowledging country, veterans and current serving Australian Defence Force Personnel. Members **NOTED** apologies as listed at Annexure A and no conflicts of interest were raised.

The Chair introduced Ms Tara Cavanagh, First Assistant Secretary, Client Benefits Division.

### Agenda Item 2 Action items

Members **NOTED** the Minutes from the previous meeting on 9 July 2024 were endorsed out of session on 26 July 2024 and published on the DVA website on 8 August 2024.

Members **AGREED** to close action items 2023OWP/A28, 2024OWP/A01, A02, A07, A08, A09, A10, A13, A14, A16, A18, A19, A20 and A21.

Members **AGREED** to consolidate action items 2024OWP/A06, A11, A12 into one action item; 2024OWP/A13 which will remain in progress.

Members **NOTED** that the action items 2024OWP/A15 and A17 remain in progress.

### Agenda Item 3 Member Submission – Ambiguous Wording of Client Correspondence (The Royal Australian Regiment Corporation)

Members **NOTED** the submission regarding the accuracy of the wording in compensation letters related to lifestyle ratings under the *Veterans' Entitlements Act 1986* (VEA) and the *Military Rehabilitation and Compensation Act 2004* (MRCA). Members **NOTED** that current letters to clients indicate the availability of four options for selecting a Lifestyle Rating, contradicting the Legislative Instruments that specify only three options.

Members **ACKNOWLEDGED** the establishment of a project by the Department of Veterans' Affairs (DVA) aimed at improving its letters to veterans and their families, focusing on enhancing readability, consistency in style, and empathetic communication. Members **NOTED** that all letters referring to lifestyle effects will undergo review as part of the Letter Review project, ensuring alignment with the corrections presented in the Member Submission.

### Agenda Item 4 Member Submission – MRCA MK2 Presumptive Liability Conditions (The Australian Special Air Service Association)

Members **NOTED** the submission regarding proposed changes in the Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024 (VETS Bill), seeking information on the process to determine which conditions will be listed under presumptive liability provisions in Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024 (VETS Bill).

Members **DISCUSSED** the implications of the presumptive liability provision to simplify acceptance of liability claims and **ACKNOWLEDGED** the legislative mechanism that will allow the Minister of Veterans' Affairs to specify conditions accepted on a presumptive basis under existing Veterans' legislation.

Members **NOTED** that the initial instrument will include the five categories of conditions which essentially achieve a presumptive outcome for veterans under the three pieces of existing legislation. Members **ACKNOWLEDGED** the aim to involve Ex-service Organisations (ESOs) in future discussions regarding the list of conditions under presumptive

liability and **NOTED** the need for ongoing evaluation and potential expansion of included conditions, subject to government consideration and consultation.

## Agenda Item 5 Legislative Reform Update

Members **NOTED** the progress on implementing Recommendation 1 of the Royal Commission into Defence and Veteran Suicide Interim Report to simplify and harmonise veterans' legislation.

Members **ACKNOWLEDGED** the introduction of the VETS Bill in Parliament on 3 July 2024 and its referral to the Senate Foreign Affairs, Defence and Trade Legislation Committee for inquiry by 3 October 2024. Members **ACKNOWLEDGED** that the Committee tabled its report on 3 October 2024, recommending that the Bill be passed. Members **RAISED** inquiries about claims transitioning under new guidelines post July 2026, with assurances of follow-up for definitive guidance.

### *Flexibility of the operation of s424 for unintended consequences*

Section 424 of the MRCA provides the Commission with discretion to grant assistance or benefits that it considers reasonable to a person as specified. Currently, the special assistance provision is very restrictive because it explicitly excludes anyone who is (or would be) entitled to compensation or benefits under the MRCA or VEA. These restrictions are imposed by current subsection 424(2). The VETS Bill would modify section 424 to remove this exclusion and open the possibility of special assistance to any veteran or dependant, should it be needed. The intent is to afford the Repatriation Commission the necessary flexibility to grant reasonable benefits to a person, including in unforeseen circumstances upon the transition to the single ongoing Act, where they fall outside the ambit of the liability and compensation provisions under that model.

### *What happens when someone moves off VVRS – do they then enter SRDP?*

The Veterans' Vocational Rehabilitation Scheme (VVRS) provides vocational rehabilitation assistance for VEA clients under Section 115B of the VEA. Special Rate Disability Pension (SRDP) is a compensation benefit where eligible members can make a choice to receive SRDP if they meet eligibility under Section 199(1) of the MRCA (SRDP is similar to the Special Rate/ Totally and permanently incapacitated (TPI) pension available under the VEA). As such, VVRS and SRDP are different benefits intended for different purposes.

The VEA contains safety-net provisions for certain pensioners undertaking a VVRS program so that they can retain their benefits while undertaking vocational rehabilitation. These safety-net provisions will remain in place after 1 July 2026, even if the VEA rehabilitation program is transitioned across to the MRCA. As such, veterans working under the VVRS at the time of commencement will remain eligible for Special Rate and Intermediate Rate of disability compensation pension, and invalidity service pension, under the safety-net provisions, section 115D and 115G of the VEA.

From 1 July 2026, this will be known as a the Transferred VEA rehabilitation program. Under the MRCA, rehabilitation is provided as a whole-of-person approach to enable a veteran to maximise their well-being. A program may consist of medical management, psychosocial and vocational support.

From 1 July 2026 a VEA veteran may be able to receive SRDP if they receive MRCA incapacity payments, have 50 points of impairment under the MRCA, and are unable to work more than 10 hours per week.

## Agenda Item 6 Update on Level 4 Advocates, Recognition of Prior Learning, and Integration into Advocacy Reform

Members **NOTED** the update provided and **DISCUSSED** the ongoing development of course content and materials for the Compensation Level 4 Advocates (C4) program, as well as DVA's efforts to gauge interest from existing C4 Advocates in mentoring, to facilitate the rollout of the new course in 2025.

Members **ACKNOWLEDGED** that DVA has engaged Major Trainer Services (MTS) to create specialised training for C4 mentors and **NOTED** the Recognition of Prior Learning (RPL) process, which accesses existing skills and experience for

alignment with the Units of Competency in the Course of Military Advocacy. Members **DISCUSSED** C4 and the current pilot underway, and the desire to hold more courses into 2025 if the demand is there.

Members **DISCUSSED** the proposed Institute of Veterans' Advocates, which will provide leadership, set competency standards, and establish guidance for RPL as part of advocacy reform. Members **NOTED** that feedback on the consultation paper is currently under consideration. Members **ACKNOWLEDGED** challenges in advocate recruitment and training availability as barriers to volunteer engagement, noting ongoing efforts to address these issues as part of the Royal Commission recommendations.

Action Item and Description	Responsible
2024OWP/A22 – Confirm the status of implementation and timeline of the first trial course for Level 4 Advocates under the Advocacy Training and Development Program (ATDP), addressing concerns regarding recognition of prior learning and qualifications since the program's inception.	Client Benefits

## Agenda Item 7 Authority to Represent Process Clarifications and Adjustments

Members **DISCUSSED** the procedure for clients to appoint, modify, or revoke representative arrangements at their discretion, clarifying that clients are not legally obligated to confer with representatives prior to such changes. Members also **ACKNOWLEDGED** that DVA is only required to contact a clients current nominated representative and is not obliged to proactively consult with previous representatives regarding changes.

Members **ACKNOWLEDGED** that while individual notifications for form changes are not standard, old forms are typically accepted unless additional information is required.

Members **NOTED** the client's autonomy to appoint or change representatives without consultation. Members **DISCUSSED** the absence of a CRM system as a limitation in managing representative interactions, recognising it as an ongoing challenge that may be addressed in future MyService enhancements.

Members **DISCUSSED** the need for improved coordination among advocacy services to ensure seamless support for clients and prevent service disruptions and **HIGHLIGHTED** the importance of improving IT systems to enhance overall effectiveness as the current DVA systems are limited in functionality, permitting only one representative to be assigned at any given time.

## Agenda Item 8 Claims Processing Update

Members **NOTED** the status of claims processing as at 30 September 2024.

Members **RAISED** concerns about delays in processing war widow claims and **DISCUSSED** the implications of late submissions on financial outcomes. Members were **ENCOURAGED** to provide details of individual cases to the OWP Chair to ensure they are managed, and any systemic issues are identified.

Members **NOTED** the existence of a dedicated team to support bereavements and widows.

## Agenda Item 9 Modernisation Program Update

Members **NOTED** the Modernisation Program update.

## Agenda Item 10 Secure Emails

Members **DISCUSSED** the complexities of the current secure email process, noting the inability to print and the need to copy and paste information **ACKNOWLEDGING** the potential benefits of a secure portal for saving and printing documentation.

Members **DISCUSSED** the option to request Services Australia implement print and save functionality in secure emails, particularly for Advocates and **DISCUSSED** the possibility of extending the retention period for secure emails beyond the current duration of seven days.

Action Item and Description	Responsible
2024OWP/A23 – An update to be provided at the next OWP meeting regarding the exploration of strategies to alleviate the challenges associated with the communication of personal information with advocates, including the possibility of extending the retention period for secure emails and the implementation of a print and save option.	Technology and Finance

#### Agenda Item 11 Other Business

Members **NOTED** that the bereavement report for September 2024 is overdue and DVA undertook to resolve this as soon as possible.

Members **DISCUSSED** issues with the general inquiries email acknowledgments lacking specific subject headings, causing uncertainty about the referenced case. Members **ACKNOWLEDGED** the ongoing request for generic departmental email addresses to streamline communications.

Members **DISCUSSED** the issue of mild Traumatic Brain Injuries (mTBI) and actions taken by DVA.

Members **AGREED** on the value of distributing a summary following meetings to enhance understanding and communication for those not directly involved in the forum and instituted this practice moving forward.

Action Item and Description	Responsible
2024OWP/A24 – OWP Chair to explore offline the use of generic email addresses across DVA to streamline communication.	Chair and Veteran, Family and Stakeholder Experience
2024OWP/A25 – A post-meeting summary to be implemented to enhance understanding and communication for individuals not directly involved in the forum.	Secretariat

Meeting closed: 3:30pm

MEMBERS/ATTENDEES	
Mr. Andrew Kefford PSM	Chair, Deputy Secretary, Policy and Programs
Ms. Tara Cavanagh	Deputy Chair, First Assistant Secretary, Client Benefits
FLTLT Rod Hutchings	Australian Peacekeeper and Peacemaker Veterans' Association <i>(for item 11)</i>
Mr. Chris Hamilton	Returned and Services League of Australia
Mr. John McNeill	Australian Veterans Alliance
Mr. Michael Carlon	Australian Special Air Services Association
Mr. Rob Connor	Legacy Canberra
Ms. Narelle Bromhead OAM	Partners of Veterans Association of Australia Inc.
Ms. Pat McCabe OAM	TPI Federation of Australia
Ms. Vanessa Cheng	Air Force Association
Presenters	
Mr. Greg Ross	Director, Business Improvement Division <i>(Item 3)</i>
Ms. Anne Atherton	Program Manager, Business Solutions Design Section <i>(Items 9 and 10)</i>
Mr. Simon Hill	Assistant Secretary, Legislative Reform <i>(Item 4 and 5)</i>
Ms. Tara Hatzismalis	Assistant Secretary, Processing Branch <i>(Items 6, 7 and 8)</i>
Secretariat	
Ms. Morgan S	Assistant Director, International and Stakeholder Relations
Ms. Jessica L	Secretariat Officer, International and Stakeholder Relations
Apologies	
Mr. Bill Roberts OAM JP	Vietnam Veterans' Federation of Australia
Mr. Clem Russell OAM	The Royal Australian Regiment Corporation
Ms. Jenny Gregory OAM	Australian War Widows Inc
Mr. Max Ball	Vietnam Veterans' Association of Australia

Next Meeting – 21 February 2025