



Vocational Assessment Reports – HOD pension increase

This document is to be provided to service providers who are requested by Pillar Administration on behalf of SAS Trustee Corporation (STC) to provide a report on a functional capacity and/or vocational capacity assessment of a pensioner member of the Police Superannuation Scheme (PSS) who is seeking an increase in a hurt on duty (HOD) pension.

1. Pension increases that are payable

An HOD pension is payable to a former member of the Police Force who is medically discharged because of their incapacity to undertake their duties of office where the incapacity was due to a medical condition caused by a HOD (ie work-related) injury.

The minimum rate for an HOD pension is 72.75% of the salary payable on the pensioner's last day of service in the Police Force.

The minimum rate can be increased:

1. by up to 12.25%, depending on the extent to which the pensioner is currently incapacitated for work outside the Police Force because of the medical condition. If the pensioner is totally incapacitated for work, the maximum rate of 85% of that salary is payable; and
2. by up to 27.25%, if the pensioner is totally incapacitated for work outside the Police Force and the HOD injury that caused the medical condition occurred because the pensioner was required to be exposed to risks in their police duties to which members of the general workforce are not normally required to be exposed, commensurate with the risks the pensioner was required to be exposed. Up to 100% of the pensioner's salary on their last day of service may be payable.

2. Criteria for entitlement to a pension increase of up to 12.25%

In determining whether an applicant is entitled to an increase of pension (from the base rate of 72.75%) of a rate up to 12.25%, the following criteria must be satisfied:

1. the applicant is currently incapacitated for work outside the Police Force to some extent, ie the applicant cannot, because of the medical condition, earn in a labour market reasonably open to the applicant as much as a person with the applicant's education, experience, qualifications and skills could otherwise earn in such a labour market; and
2. the medical condition causing the applicant's incapacity is the same medical condition that incapacitated the applicant at the time of leaving the Police Force, and was determined by the Commissioner of Police to have been caused by an HOD injury.

The percentage increase in the HOD pension to which the applicant is entitled is the difference between what the applicant is or could be earning and what the same person (but without the HOD medical condition) could be earning.

An applicant will only be entitled to an increase of 12.25% (ie, to 85% of salary) if they are **totally** incapacitated for work outside the Police Force.

It is important to note that the test for total incapacity is not one for *total and permanent* incapacity.

3. Opinion to be based on probability

STC, in making a decision as to whether an applicant is incapable of working outside the Police Force, may have regard to medical advice and/or a vocational assessment.

The report that will assist STC make a decision should provide an opinion that is based on the **probability** of a certain matter, rather than the mere **possibility** of it.

If you are unable to make an assessment on a particular matter, you should say so in the report and explain why.

4. Matters to consider when providing the written report

You are asked to provide a written report drawing on the following:

1. a detailed history from the applicant;
2. a full examination of the applicant and outcome of any physical, functional or any other tests;
3. any medical documents or other information provided to you, including those that relate to the time that the applicant left the Police Force;
4. the information provided in and with the applicant's Application (PSS Form 14) that is provided to you; and
5. your examination and interview of the applicant.

Please refer to any reports that you rely upon in arriving at an opinion.

5. Questions to be answered and suggested report format

You should provide your report on your letterhead. A suggested format is provided for you to include the relevant information in your report. If you would like to use this format, you can download a Word document from the website at www.statesuper.nsw.gov.au.

Please return the attached list of questions, your report based on those questions and the privacy statement to:

Pillar Administration
PSS Team
PO Box 1229
Wollongong NSW 2500

Report on HOD pension increase applicant

History and findings

Date of examination: ...

Applicant's details (name, DOB, address): ...

General history of the applicant (including education, qualifications, skills, work experience, attempts to find work, date of injuries/medical conditions, brief history of circumstances of injuries/medical conditions, rehabilitation, retraining etc): ...

Clinical history of applicant (summary of injuries received/medical conditions experienced and diagnoses made, summary of all treatment provided, details and dates of clinical investigations carried out, details of any previous or subsequent injuries, condition or abnormality): ...

Test/assessment findings (outcomes of tests, assessments etc, findings on examination including negative findings, comments on consistency of presentation, and where appropriate, how this compares to reports and other material sighted): ...

Answers to questions*:

Based on an analysis of all the information available to you, your opinion is sought on the following questions for inclusion in your report:

1. What kind of work could the applicant currently undertake in a labour market that is reasonably open to him or her, taking into account the applicant's skills, education, experience and qualifications, interests and aptitude, and his or her HOD medical condition?
2. Is the applicant capable of working on a full-time basis or only on a part-time basis? If the latter, please indicate the number of hours per week.
3. What could the applicant reasonably earn a week in such work? (identify a range).
4. What kind of work could a person with the applicant's skills, education, experience and qualifications, interests and aptitude (but without the applicant's HOD medical condition) undertake in a labour market that is reasonably open to the applicant?
5. What could such a person reasonably earn a week in such work (identify a range).
6. Where this is not the applicant's first application for an increase, a medical specialist has been asked to advise on whether there has been any change in the applicant's HOD medical condition since the time of the applicant's most recent application for an increase was decided.

Taking the specialist's advice into account, what difference (if any) is there between what the applicant could have earned at the time of that decision and your answer to Question 3 (ie what the applicant could earn now) due to the change in the applicant's HOD medical condition identified by the specialist?

7. Given the prognosis of the applicant's HOD medical condition as set out in the report of the medical specialist and the specialist's opinion of the applicant's likely capacity to undertake work in the future, what potential do you think the applicant has for obtaining work, or obtaining more remunerative work, in the next 12 months or at a later time?
8. Would that potential be greater with any additional rehabilitation and/or training? If so:
 - a) please specify the rehabilitation/training and
 - b) estimate how much the applicant could earn if that potential was realised (identify a range).
9. Please comment on any other matters that you think relevant to the applicant's current or future likely capacity for work.

* Please refer to the enclosed Notes on HOD Pension Increase Questions.

Notes for answering the Questions (PSS Report I4)

Question I: What kind of work could the applicant currently undertake in a labour market that is reasonably open to him or her, taking into account the applicant's skills, education, experience and qualifications, interests and aptitude, and his or her HOD medical condition?

Matters to take into account

- a) It is important to note that any increase in the HOD pension can only be determined on the basis of the applicant's current work incapacity being caused by the medical conditions that incapacitated the applicant at the time of leaving the Police Force, and which the Commissioner of Police decided were the result of work related (HOD) injury.

The applicant may currently have other medical conditions. If so, any impact they have on the applicant's capacity for work should be explained.

- b) The medical conditions identified by the applicant as having caused their incapacity – refer to the answer to Q26 of the Application Form.

- c) Information provided to you during your interview with the applicant including information about current employment.
- d) information contained in Sections D and E in the applicant's Application Form (PSS Form I4).
- e) The report/s of any medical specialist; in particular, answers relating to any restrictions or limitations on the applicant's capacity to work due to the relevant medical condition.

If you are of the opinion that the applicant is totally incapacitated for work, please explain your answer.