



# Ex-Service Organisations Round Table August 2024

The Ex-Service Organisations Round Table (ESORT) met on Tuesday, 27 August 2024.

## **DVA update – Secretary Alison Frame**

The Secretary updated members on several key areas of focus for the Department of Veterans' Affairs (DVA). The Royal Commission into Defence and Veteran Suicide is due to deliver its final report and recommendations to the Government on 9 September 2024. The Department has undertaken significant preparatory work in order to try and be positioned to provide initial advice to Government as quickly as possible.

The Secretary noted that the Department has undertaken significant reform over the last five years and was hopeful the Royal Commission would acknowledge the positive changes already made to meet the evolving needs of the veteran community and will obviously set out further areas for reform and improvement.

ESORT members agreed to meet shortly after the release of the Royal Commission's report to review the recommendations.

The Secretary noted work underway to improve DVA's program management and capacity to detect, deter, and respond to instances of irregular provider behavior including fraud.

The Secretary noted DVA is working to improve the rate at which invoices are processed for veterans and service providers. DVA is asking providers to

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process their invoices through DVA's online portal, rather than lodging their invoices via email. The Department has put in place support material to guide providers through the process of submitting an invoice on the portal.

The Secretary also informed members that Ms Chantelle Stratford will join the Veteran, Family & Stakeholder Experience Group from Monday, 2 September 2024 for six months to lead the development of the Female Veterans Strategy.

## **ESORT Member Submissions**

### **Grants in Aid Funding** (The Australian Special Air Service Association)

ESORT members discussed funding of the Grants in Aid program and the member submission proposing an increase. It was agreed that proposed updated grants guidelines would be circulated to ESORT members for endorsement. DVA undertook to provide advice to the Government on the submissions received.

### **Suitability of MRCA 2004 for the Prompt Determination of Claims in the Event of Hostilities or War** (Vietnam Veterans' Association of Australia Inc)

VVAA lodged a submission seeking advice from DVA on the adequacy of current legislative frameworks in the event of a future escalation of hostilities.

DVA informed ESORT that the *Military Rehabilitation and Compensation Act 2004* (MRCA) is considered suitable to allow prompt processing of claims in the event of a significant deployment. This view is informed by the current benefit structure which provides compensation for economic and non-economic loss, medical treatment and rehabilitation.

DVA emphasized the importance of amendment in the *Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024* (VETS Bill) that further add to recent processing efficiencies. These include two new heads of liability: one which allows claims to be accepted on a presumptive basis; and another allowing, in effect, claims to be accepted for injuries that occur while on duty. These changes significantly reduce the evidentiary requirements for the acceptance of claims.

DVA noted in the event of future escalation of military activity, one of the consequences would be flow on impacts and requirements for additional

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resources in a number of areas including the wider health system, Defence, and DVA service delivery capacity.

### **Update to Boys' Case – Systemic and Governance Issues (Defence Force Welfare Association)**

Following the Federal Court's *Boys* decision, the Defence Force Welfare Association (DFWA) raised concerns that onset considerations are not being correctly applied to claims for cervical and thoracolumbar spondylosis. Spondylosis relates to a degenerative spinal condition, essentially arthritis of the spine.

In response to these concerns DVA conducted a review of a random sample of spondylosis cases. DVA shared the findings of the review with ESORT members. The review found there to be no systemic issues with the application of the onset policy for spondylosis. The review also found that it is not uncommon for claims to be made contending onset occurred years or decades prior to any medical evidence of the condition emerging. As a condition that is degenerative in nature, onset will not be at the time of an initial causal exposure. Concerns that claims relating to the onset of spondylosis were not being correctly determined may reflect a misunderstanding among claimants about when a condition can be said to have emerged.

Members noted that DVA will continue to provide training and guidance to claims assessors and delegates on how to correctly apply the onset policy in relation to this condition.

### **DVA Medical Transport (TPI Federation of Australia)**

TPI Federation lodged a submission seeking confirmation of eligibility for Booked Car With Driver for veterans aged under 80.

Members noted that Veteran Gold or White Card holders with eligibility under the *Veterans' Entitlements Act 1986* (VEA) can access the Booked Car with Driver (BCWD) service, where DVA arranges taxi or hire car travel for clients to attend approved treatment with no out of pocket expenses. More information and eligibility criteria are available at [dva.gov.au/bcwd](http://dva.gov.au/bcwd).

DVA confirmed all *Veterans' Entitlements Act 1986* veterans aged 80 and over can access BCWD for all travel for approved treatment under the VEA.

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DVA confirmed all *Veterans' Entitlements Act 1986* Totally and Permanently Incapacitated and Special Rate Disability Pension veterans aged under 80 can access BCWD for travel to one of the defined specific treatment locations:

- former repatriation general hospitals
- public and private hospitals, including outpatient services
- providers of prosthetics, surgical footwear and orthotics
- Office of Hearing Services accredited providers
- Medical specialists' rooms (note this does not include general practitioners), or
- Radiology, imaging and pathology services.

**Veterans Children Identifier on School, Education Enrolment Forms in All States and Territories of Australia** (The Partners of Veterans Association of Australia Inc)

Members noted the submission from the Partners of Veterans Association of Australia regarding the need for a Defence and veteran student identifier on school enrolment forms across all Australian states and territories.

DVA noted the decision regarding the inclusion of a Defence and veteran identifier on school enrolment forms is a decision for each state and territory government. However, the importance of this proposal was recognised, particularly the benefit it can provide Defence and veteran families, and more broadly, as part of a concerted effort to harmonise support for Defence and veteran families across the Commonwealth. DVA noted progress in expanding the availability of veteran identifiers was raised with the Royal Commission.

DVA noted the matter was discussed at the most recent meeting of the Commonwealth State and Territory Committee, and is on the agenda for the next meeting.

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## **DVA Critical Initiatives**

### **Hearing Services**

DVA provided an update on veteran hearing services. The Department reaffirmed its commitment to ensuring veterans with complex service-related hearing requirements receive improved and more timely access to high-quality hearing support. The Veteran Hearing Services Framework will support greater transparency and accountability so veterans and providers can better understand and streamline processes to provide a more positive experience for veterans with complex service-related hearing needs.

Since 1 July 2024, DVA has implemented new internal guidance documents to support a wellbeing approach to decision making, including an updated decision tree. Forms have been updated to simplify processes for veterans and place a greater focus on wellbeing. As part of this, the Audiology Prior Financial Approval Authorisation Request form (D9398) has been updated and shared with service providers for their initial feedback.

### **Legislative Reform Update**

ESORT members were provided an update on the progress of veterans' legislative reform. On 3 July 2024, the Minister for Veterans' Affairs introduced the *Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Bill 2024* (VETS Bill) into Parliament. The Bill, as introduced, was informed by the consultation undertaken on the Exposure Draft between 28 February and 28 April 2024.

The Bill has now been referred to the Senate Foreign Affairs, Defence and Trade Legislation Committee for inquiry with a report due by 3 October 2024. DVA appeared at a Committee Hearing on 16 August with a number of ESOs.

More information regarding veterans' legislation reform can be found on the DVA website [www.dva.gov.au](http://www.dva.gov.au).

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## **Advocacy Update**

DVA updated members on progress made by the Advocacy Governance Working Group. The Working Group has now settled key elements for the form and role of a proposed independent advocacy professional body, which the Working Group has proposed should be called The Institute of Veterans' Advocates.

The Institute will enhance the quality of services provided by, and availability of, trained veterans' advocates. It will establish proper mechanisms to address concerns raised by the veteran community regarding the conduct of individual advocates.

A consultation paper has been publicly released, and remains open for comments until 4 October.

ESORT members noted that the Government would determine the final form an advocacy body would take based on the views of ESORT, the working group, the outcome of the consultation process, and any views or recommendations put forward by the Royal Commission.

## **Claims Processing Update**

DVA provided members an update on compensation claims processing. The claims allocation backlog was cleared at the end of February 2024 and DVA is now managing 'business as usual' levels of claims across all three major claim types. Over 95 per cent of Initial Liability claims are now being consistently allocated within two weeks. DVA is renewing efforts to complete 'ready to investigate' claims as quickly as possible and reduce the time taken to process (TTTP) claims.

As of 31 July 2024, there were 6,316 claims awaiting allocation (956 Initial Liability; 145 Incapacity; 5,215 Permanent Impairment).

Determinations remain high: 8,521 in July 2024, up by 23 per cent from 6,921 in July 2023 and, DVA is processing claims at record levels.

Although the TTTP remains high, DVA is starting to see improvements across many claim types, with the TTTP MRCA Initial Liability falling from an average of

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441 days in FY2022-23, to 316 days in the 2024-25 financial year to date. For claims lodged since 1 December for MRCA initial liability, TTTP is 69 days.

### **Aged Care Update**

ESORT members noted an update on the Aged & Community Care Taskforce on progress made since the previous meeting in May 2024. The Taskforce has continued to consult with external partnerships, exploring a range of key issues including information and education for veterans, their families and providers.

DVA noted legislation reform in the Aged Care Portfolio continues, but stressed Veterans Home Care eligibility or scope of services was not included in that process and would continue to be provided by DVA.

The Taskforce has co-designed and developed information kits for veterans, war widow(er)s and their families to assist in preparing for entry into residential aged care. The kits provide information on mental health, socialisation and recognition. Kits have also been developed for residential aged care facilities covering an overview of DVA entitlements and the services and supports available to veterans and war widow(er)s beyond the standard aged care service offering.

### **Veteran Family Advocate Commissioner update**

The Veteran Family Advocate Commissioner Gwen Cherne provided members an update on her work and current initiatives. Commissioner Cherne noted that in four years she had met with more than 31,000 individuals and organisations. She noted a large part of her work is seeking to remove barriers from the systems for families, fostering inclusion, reducing isolation, and increasing supports for children especially if they have diagnosed mental health issues which have developed as a consequence of their parent's service.

Another focus for the Commissioner is finalizing the Joint Defence and Veteran Family Strategy. The Strategy will guide how the Departments of Defence and Veterans' Affairs will work to provide families with support. The Strategy is due to be released in the next few months.

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Commissioner Cherne has also been focused on the development of a DVA Postvention Framework, designed to provide structured support for families dealing with loss and bereavement following the death of a loved one by suicide.

Work has also been undertaken to address concerns about the Acute Support Package by improving clarity and guidance on eligibility and support. A webinar has been planned to inform external stakeholders of how to access support and the expanded services for children in fulltime care of grandparents.

### **Claims Decision Making – management of cases on hand**

DVA outlined proposed enhancements to transparency of reporting on claims processing and sought comment from ESORT members on the proposed approach. DVA noted that while all claims would be included in publicly reported totals, including for Time Taken to Process, it proposes to add further levels of detail to public reporting for claims:

- received but not complete (e.g. no diagnosis)
- being processed
  - unallocated
  - allocated to a claims support officer or delegate
  - waiting for information in response to a request for further information
- determined including acceptance rate
- on hold at the veterans' request (MRCA s.330)
- review in tribunals or courts

DVA noted the commitment in the *Australian Veterans' Recognition (Putting Veterans and their Families First) Act 2019* to determine claims under the MRCA within 90 days.



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## **Veteran and Family Learning and Innovation Network of Knowledge**

ESORT members were briefed on the approach to market for the 'Establishment and operation of a Veteran and Family – Learning and Innovation Network of Knowledge (VF-LINK)', which opened on 29 June 2024. This approach is being undertaken to support a new model of accessing research and evaluation services. Further information can be found on AusTender.

## **National Consultation Framework Review**

The National Consultation Framework provides formal consultation mechanisms between veterans and families and DVA. For the Framework to remain current and to ensure that it is meeting the contemporary needs of veterans and families and the government, it is reviewed every three years. ESORT members noted this regular review has now commenced.

In addition, members also noted that DVA held a community town hall meeting on 19 August 2024 and a [survey](#) has been released on the DVA website to enable veterans, families and ESOs to participate in the review.

## **Other Business**

The following items were raised under Other Business:

- a brief update was received from the Younger Veterans-Contemporary Needs Forum – ESORT agreed to receive a comprehensive report on work on hand at its next meeting
- the continuing presence of Veteran Liaison Officers in state and territory public hospitals – ESORT requested DVA consider raising this issue again formally with Commonwealth and state counterparts
- the requirement for veterans to pay additional daily contributions for stays beyond 35 days in hospitals – ESORT requested DVA consider raising this issue again formally with Commonwealth and state counterparts
- sustainability of Veterans' and Families' Hubs operations – ESORT requested DVA provide an update on Hubs at its next meeting.