



Australian Government

Department of Education, Employment and Workplace Relations

FNSPIM402A Represent personal injury management agent or insurer at conciliation and review hearings

Release: 1

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Modification History

Not applicable.

Unit Descriptor

Unit descriptor	This unit describes the performance outcomes, skills and knowledge required to represent personal injury management agents or insurers at formal or informal conciliation and review hearings. It encompasses application of relevant State or Territory legislative requirements in relation to personal injury management, knowledge of organisation policies and procedures, and external conciliation processes. This unit may apply to job roles subject to licensing, legislative, regulatory or certification requirements so Commonwealth, State or Territory requirements should be confirmed with the relevant body.
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Application of the Unit

Application of the unit	This unit may be relevant for case managers and technical managers and applied within the claims handling area of the personal injury management sector.
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Prepare for hearings of disputes	1.1. Review of decision is made by contacting the person, relevant parties and the treating doctor where relevant, and considering any new/additional information provided 1.2. Additional information is obtained from relevant parties as required and provided to stakeholders 1.3. All parties affected by the decision are clearly and promptly advised of their review rights in accordance with legislative requirements
2. Present cases at conciliation conferences	2.1. Appropriate forms are completed in accordance with conciliation office requirements and referred to the conciliation office 2.2. Conciliation conference is arranged to bring the parties to agreement and reach conciliation 2.3. Formal notification documenting the outcome of conciliation, including any disputes is provided to all relevant parties
3. Present case in court/tribunal/review hearings	3.1. Courts are provided with all relevant documentation prior to pre-hearing conference 3.2. Insurers manage matter before the court or tribunal in a matter that achieves the best and most expeditious resolution at minimum cost

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- Well-developed communication skills to:
 - determine and confirm information, using questioning and active listening as required
 - liaise with others, share information, listen and understand
 - negotiate and advocate for clients
 - make effective and clear presentations
 - write business reports
 - use language and concepts appropriate to cultural differences
- numeracy and IT skills to:
 - perform calculations related to achieving required outcomes
 - use computer applications (word processing, spreadsheet, database, specific purpose computer systems) to assist in achieving required outcomes
 - access and update records electronically
 - use internet information
- well-developed literacy skills to:
 - read and interpret documentation from a variety of sources and record and consolidate relevant related information
 - interpret and apply policy
- research and analysis skills for accessing and interpreting relevant information
- effective interpersonal skills
- organisation skills, including the ability to plan and sequence work
- research skills
- risk assessment skills

Required knowledge

- common law, legal systems and procedures, relevant acts
- organisation policy, procedures, underwriting guidelines and authorities
- industry and organisation policy wording
- industry compliance requirements
- relevant information technology and communications systems
- risk prevention methods and application

Evidence Guide

EVIDENCE GUIDE

The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.

Overview of assessment

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Evidence of the ability to:

- interpret and comply with industry and organisation obligations and objectives
- negotiate effectively on behalf of the organisation and build client relationships
- understand conciliation and review hearing procedures and requirements
- effectively prepare for and represent the agent's or insurer's interests at review hearings.

Context of and specific resources for assessment

Assessment must ensure:

- competency is demonstrated in the context of the work environment and conditions specified in the range statement either in a relevant workplace or a closely simulated work environment
- access to and the use of a range of common office equipment, technology, software and consumables
- access to organisation records
- access to organisation policies and procedures.

Method of assessment

A range of assessment methods should be used to assess practical skills and knowledge. The following examples, in combination, are appropriate for this unit:

- evaluating an integrated activity, which combines the elements of competency for the unit, or a cluster of related units of competency
- observing processes and procedures in workplaces
- verbal or written questioning on underpinning knowledge and skills
- evaluating samples of work
- accessing and validating third party reports.

Guidance information for assessment

Range Statement

RANGE STATEMENT	
The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.	
<i>Relevant parties</i> may include:	• employer and industry associations • family members • medical and like providers • workers compensation, personal injury authority • self insurer • the authorised insurer • the community • the employer • unions and union representatives.
<i>Conciliation conferences</i> may include:	• formal legal proceedings • informal meetings between the disputing parties.
<i>Disputes</i> may involve:	• insurer's procedures including failure to meet response time limits set for both informal and formal disputes resolution made direct to the insurer by any of the parties involved in the claim • liability • medical and like providers/panels.
<i>Documentation</i> may include:	• assessor's reports and reports from medical and like providers • medical panels • rehabilitation providers • the employer.

Unit Sector(s)

Unit sector	Personal injury management
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Competency field

Competency field	
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Co-requisite units

Co-requisite units		