



Australian Government

PSPINM011 Determine liability and negotiate settlements

Release: 1

PSPINM011 Determine liability and negotiate settlements

Modification History

Release	Comments
1	This unit was released in PSP Public Sector Training Package release 1.0 and meets the Standards for Training Packages. This unit supersedes and is equivalent to PSPIM501A Determine liability and negotiate settlements. • Unit code updated • Content and formatting updated to comply with new standards • All PC transitioned from passive to active voice

Application

This unit describes the skills required to determine liability relating to injured workers and negotiations to settle future liabilities. It includes estimating liability, determining settlement options and negotiating settlements.

This unit applies to those working in public sector roles but may be applied to anyone working in a similar organisational context.

The skills and knowledge described in this unit must be applied within the legislative, regulatory and policy environment in which they are carried out. Organisational policies and procedures must be consulted and adhered to.

Those undertaking this unit would work independently while performing complex tasks in a range of familiar contexts.

No licensing, legislative or certification requirements apply to unit at the time of publication.

Competency Field

Injury management

Elements and Performance Criteria

ELEMENTS	PERFORMANCE CRITERIA
Elements describe the essential	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used,

outcomes	further information is detailed in the range of conditions section.
1. Estimate liability	1.1 Use current information and guidelines on legislative changes and liability management to ensure up-to-date methods are used to estimate liability. 1.2 Identify all anticipated costs the employer believes may be incurred up to the time claims are resolved. 1.3 Use case estimate software facilities as required to create automated case estimates based on reporting data. 1.4 Use key indicators to estimate costs and amend automated estimates as necessary, based on local knowledge of particular claims. 1.5 Review estimates at required intervals, and maintain estimates of future liability on all open claims. 1.6 Identify and pursue recovery rights against other parties or employers for the disabilities claimed.
2. Determine settlement options	2.1 Identify settlement options. 2.2 Assess options to determine the most cost effective course of action, given the nature and extent of each liability.
3. Negotiate settlements	3.1 Consult injured workers to ensure they have competent professional and financial advice before entering into an agreement. 3.2 Negotiate settlement terms to meet obligations and minimise losses. 3.3 Determine settlement terms that represent substantial savings on costs that would otherwise have been incurred for future liability. 3.4 Negotiate settlements within financial delegations or refer. 3.5 Obtain discharge to ensure potential for further liability is eliminated. 3.6 Refer settlements, for conciliation and arbitration where agreement cannot be reached.

Foundation Skills

Foundation skills are embedded within the elements and performance criteria of this unit.

Unit Mapping Information

This unit supersedes and is equivalent to PSPIM501A Determine liability and negotiate settlements.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=bebbece7-ff48-4d2c-8876-405679019623>

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Assessment Requirements for PSPINM011 Determine liability and negotiate settlements

Modification History

Release	Comments
1	These Assessment Requirements were released in PSP Public Sector Training Package release 1.0 and meet the Standards for Training Packages. • Assessment Requirements created drawing upon specified assessment information from superseded unit

Performance Evidence

Evidence required to demonstrate competence must satisfy all of the requirements of the elements and performance criteria. If not otherwise specified the candidate must demonstrate evidence of performance of the following on at least one occasion.

- applying legislation, regulations and policies relating to determining liability and negotiating settlements
- determining liability and negotiating settlements in the context of injury management
- using communication including negotiation and problem solving with injured workers, their representatives, employers and case coordinators

Knowledge Evidence

Evidence required to demonstrate competence must satisfy all of the requirements of the elements and performance criteria. If not otherwise specified the depth of knowledge demonstrated must be appropriate to the job context of the candidate.

- public sector legislation legislation work health and safety and environment, regulations, policies, procedures and guidelines relating to injury management
- case estimate software
- methodology for estimating liability
- risk management in the context of injury management
- delegations
- obligations and options for settlement under the legislation

Assessment Conditions

This unit contains no specific industry-mandated assessment conditions. Guidance on suggested and recommended conditions and methods can be found in the Implementation Guide.

Assessors must satisfy the NVR/AQTF mandatory competency requirements for assessors.

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