



How to Guide

Nomination Guidelines – Compensation Advocate Level 4

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Compensation Level Four

Compensation Advocate Level 4 (NAT11019004) is the Unit of Competency that prepares a Compensation Advocate Level 3 for submitting and presenting an appeal, under the VEA, DRCA or MRCA, before the Administrative Review Tribunal (ART).

Due to the complex nature of the work required at this advocacy level, the ESO should consider the below guidelines to ensure the nominated candidate has the appropriate skills to complete the training involved with this Unit of Competency.

Responsibilities of a Level 4 Advocate

A Compensation Advocate Level 4 will be expected to:

1. Analytical Mind

- Read and analyse s37 documents at the start of a proceeding to discern the key issues of the client's case.
- Reanalyse all the documents with those issues in mind.
- Develop a strategy to build the client's case.
- Identify which documents don't support the client's case and then identify what evidence is required to rebut those documents.

2. Effective Public Speaker

- Represent the veteran at the ART.
- Receive and respond to questions from the ART.
- Receive and respond to objections from the opposing solicitor.
- Develop a complete understanding of the client's case to allow an appropriate response to any questions.

3. Excellent Written Communications

- Produce and submit a written submission to ART and opposing solicitor.
- Summarise the key issues and evidence for the client's case including citations as required.

4. Legal Skills

- Understand and interpret legal terminology.
- Research and reference, where appropriate, precedent ART or Federal Court Cases.

Nomination Guidelines

Prior to nominating, the ESO should undertake an internal review to assess an individual's suitability for the program. The following nomination guidelines should be considered:

- A strong desire to provide advocacy services to any member of the serving and ex-serving community, without charging fees for services.
- A commitment to the continuous improvement in skills and knowledge for as long as they practice as an Advocate.
- An ability to understand and interpret complex legislation and provide representation and support to the veteran and/or family member in an often-stressful environment.
- 2 – 3 years experience as an active Level 3 Compensation Advocate.
- Experience in the review and reconsideration process, including case strategy with the client.
- Demonstrated evidence that the advocate has undertaken conferences or Alternate Dispute Resolution processes.
- Experience in, or exposure to undertaking hearings before the Veterans' Review Board, including preparing for, and following up on the hearing.
- Experience in, or exposure to representing a client in a request for reconsideration by the Military Rehabilitation and Compensation Commission under the Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988 including preparing for and follow-up of the request for reconsideration.
- Strong knowledge of relevant eligibility, entitlements and benefits available under the VEA, DRCA, and MRCA.
- Willingness to be mentored, and openness to communication and feedback.
- A commitment to provide advocacy services in accordance with confidentiality, privacy, and work health and safety requirements.
- Strong interpersonal and interview skills.
- Demonstrated language, literacy, numeracy, record keeping, and technology skills appropriate to the role.

How to Guides

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[ATDP - How To Guides \(web.atdp.org.au/psoMsg\)](http://web.atdp.org.au/psoMsg)