

# VITA

## Veterans' Indemnity and Training Association

### What is VITA?

#### **Professional indemnity insurance**

The Veterans' Indemnity and Training Association Inc. (VITA) provides access to professional indemnity insurance for organisations that provide advice and advocacy services to members of the ex-service community about government pensions, benefits and community support services.

Ex-service organisations and incorporated groups performing similar functions can become VITA members to access this insurance at an affordable cost.

#### **Accident cover**

VITA also maintains an insurance policy providing basic protection for VITA members' authorised advocates for accidents that occur at a client meeting, while travelling to and from a client meeting, and for travel to and from training. The policy covers costs associated with personal injury not covered by Medicare and disablement for those employed at the time of the accident. The policy payout limits are modest.

#### **Accredited advocates**

VITA supports the Advocacy Training and Development Program (ATDP). This program delivers the training and currency needed for advocates to meet the requirements of the insurer.

### What does VITA's professional indemnity insurance policy cover?

By becoming VITA members, organisations and their advocates have insurance cover in case they provide incorrect or inappropriate advice in the course of discussions with, or acting on behalf of, a client, and this advice has led to a financial loss by that client. Advocates can be either volunteers or be paid employees.

### Who is not covered?

VITA's professional indemnity insurance policy does not cover:

- advocates who belong to organisations that are not VITA members, even if the advocate has ATDP accreditation
- VITA members' advocates who do not hold a letter of authority from a VITA member to act on its behalf
- advocates who charges a fee to their client, and
- advocates who provide legal advice or financial advice.

## Who can be a VITA member?

VITA members are ex-service organisations or incorporated groups providing similar functions that provide free advice and advocacy services to members of the ex-service community if they:

- follow the Rules and Protocols of the VITA Constitution (*available on the ATDP website: [www.atdp.org.au](http://www.atdp.org.au)*)
- provide their advocates with a letter of authority to act on its behalf, and
- pay the annual membership fee when it is due.

## What are the obligations of membership?

### Authorisation

VITA members are required to issue a letter of authority to their advocates to act on their behalf at a level consistent with the advocate's training and currency.

In issuing the letter of authority, the VITA member needs to ensure that the advocate:

- is in good standing
- complies with the ATDP Code of Ethics
- has completed ADTP training
- participates in continuing professional development so that their knowledge and skills are current and effective
- does not charge the client a fee (except for the recovery of minor administrative costs such as postage and photocopying)
- does not provide legal advice or financial advice, and
- shows their letter of authority to the clients they are providing advice and/or advocacy services to.

### Record Keeping

#### Case notes

VITA requires advocates to maintain detailed case notes. Case notes are essential for assessing a claim made against an advocate or VITA member, and will be called on by the insurer to establish liability. Case notes are important documents that protect the advocate, so these need to be accurate, current and complete.

The case notes should clearly state the name and address of the client, the advocate and the name of the authorising VITA member. Case notes need to specifically record the actual advice or advocacy delivered by the advocate, together with any notes relating to the claim.

Client case notes should be deposited with the authorising VITA member by the advocate in the following circumstances:

- once the case is finalised
- if the advocate retires as an authorised advocate of that ESO
- if the client or the advocate move to another ESO, and/or

- if the client requests that the case be discontinued.

Case notes are to be kept by the VITA member for a period of seven years.

### **Logbooks**

Advocates are also required to maintain a log of events and details of the information received and given, keep that log up-to-date, and record any information which might impact on a client's claim.

### **Database**

Each VITA member should maintain a database of the clients being assisted by their advocates. The database should record where the claim is up to.

### Claims

A client who believes the advice they received from a VITA member's authorised advocate was incorrect or inappropriate, and that this has resulted in a financial loss, should lodge a claim with the advocate's authorising VITA member and with VITA.

The client should write an explanation of the circumstances leading to the loss together with a detailed estimate of the loss incurred.

The client may wish to seek legal advice to help them set out their claim in a manner likely to ensure there are no delays in the claiming process.

### How does VITA operate?

VITA is an association incorporated in the Australian Capital Territory. It is controlled and managed by a committee drawn from VITA members. The committee consists of a president, a secretary and a treasurer (the Executive) plus two additional members and a public officer.

The committee processes applications for membership from new applicants, renews membership for existing members, and arranges the insurance policies.

The committee is the first point of contact for processing insurance claims against a VITA member and/or its authorised advocate, and for accident claims from a VITA member's advocate.

The Department of Veterans' Affairs assists VITA with partial funding of the professional indemnity policy, full funding of the accident policy, and with advice and operational support.

### Contact VITA

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