

## SAPS Injury Management Practice Note

# Making a Claim

### Objectives, Targets & Performance Indicators

| Objective   | Target            | Performance Indicator        |
|---|-------------------|------------------------------|
| SAPS agencies have an implemented system regarding making a claim for compensation. | All SAPS agencies | Implemented policy/procedure |

### Purpose

SAPS agencies have a clear documented process to inform SAPS employees how to make a claim for compensation.

### Context

The Return to Work Act 2014 provides:

The SAPS agency will:

- Assist a worker in making a claim and if necessary provide a worker with information about where the worker can access advice, advocacy service and support
- Take all reasonable steps to provide services and information in a worker's preferred language and format, including the use of interpreters if required and to demonstrate respect and sensitivity to a person's cultural beliefs and values
- Recognise a right of a worker to be supported by another person and to be represented by a union, advocate or lawyer

Schedule 5 PART2

Section 4(g)

Section 4(h)

Section 4(k)

A claim:

- a) Must be in a manner and form approved by the Corporation
- b) Must be made within the prescribed period
- c) Must be supported by a certificate in the designated form by a designated person

Section 30 (1)

'Designated person' means a recognised 'health practitioner' or another person of a prescribed class acting in prescribed circumstances. 'Prescribed period' means a period of 6 months commencing on the day on which the entitlement to make a claim arises.

Section 30 (10)

A self-insured employer may dispense with the requirement for a certificate under subsection 1(c) if a claim only relates to Division 2 (medical expenses)

Section 30 (9)

The absence to provide notice of injury, or failure to make a claim within a prescribed period is not a bar to making a claim if proper determination of the claim has not been substantially prejudiced or failure was occasioned by ignorance of the claimant, mistake or absence from the State or other

Section 30 (3)

reasonable cause

If it appears from a notice that the worker was not at the date of the notice in the employment of the employer from whose employment the injury arose, the Corporation must (where it is practicable to do so) send a copy of the notice to the employer from whose employment the injury arose.

Section 30 (7)

## SAPS Practice

SAPS agencies will provide information to workers on what advice and support is available to assist in the process of making a claim.

SAPS agencies will take all reasonable steps to provide services and information in a worker's preferred language and format and recognise a right of a worker to be supported by another person and to be represented by a union, advocate or lawyer.

SAPS agencies will utilise the designated Claim Form for reporting and recording all claims for compensation.

Documents required for making a claim:

| Claim                                | Documents  |
|--------------------------------------|--|
| Incapacity requiring weekly payments | Completed Corporation claim form<br>Designated certificate from a 'recognised health practitioner' or 'nurse practitioner certificate'                                   |
| Medical expenses                     | Completed Corporation claim form<br>Designated certificate from a 'recognised health practitioner' or 'nurse practitioner certificate (unless s30(9) discretion applies) |
| Hearing Loss                         | Completed Corporation claim form<br>Audiology report   |

In the event, a claim is made outside the 'prescribed period' i.e. 6 months post the injury date, SAPS agency should seek from the worker or their representative the reasons why the claim was lodged outside the prescribed period prior to determining the claim.