

# **Vocational Rehabilitation Needs Assessments**

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# Policy

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## 1. Purpose

1.1 This policy provides guidance on administering **veterans'** needs assessments for vocational rehabilitation under the Veterans' Support Act 2014 (the Act). It should be read together with the separate papers on:

- *Vocational Rehabilitation*
- *Rehabilitation Services Eligibility*
- *Rehabilitation Section of Your Plans*
- *Entitlement to Weekly Income Compensation*
- *Weekly Compensation for Veterans*

## 2. Legislative Reference

2.1 The relevant legislation is the Act, sections 130 – 137, and 212, and Part 1 of Schedule 2, clauses 18-22.

## 3. The purpose of a Vocational Needs Assessment

3.1 The purpose of the vocational needs assessment is to:

- identify the types of work that may be appropriate for the veteran, and
- determine whether the types of work identified are, or are likely to be, sustainable for the veteran taking into account the medical needs, including the hours of work that can be safely completed.

3.2 Following receipt by Veterans' Affairs of the first medical diagnosis, an initial occupational assessment by an appropriately qualified and experienced occupational assessor (or psychologist or counsellor) appointed by Veterans' Affairs will identify the types of work. An initial medical assessment by an appropriately qualified and experienced **medical practitioner** (usually an occupational physician/specialist, preferably a member of the Australia & New Zealand Society of Occupational Medicine (NZ) Incorporated (ANZSOM) or with comparable qualifications/experience) appointed by Veterans' Affairs will determine whether the types of work identified are medically sustainable for the veteran.

*Section 130 of the Veterans' Support Act 2014*

3.3 For the purpose of this policy, "medically sustainable" means a capacity to undertake work which is physically and mentally sustainable for at least 30 hours per week within a reasonable period of the assessment in a work type for which the veteran has been assessed as having the necessary education, training and experience. This may be determined from work trials, or where

these are not possible, from the information provided by the veteran and Veterans' Affairs including discussions about the veteran's current day to day activities, the effect of medication on these activities and other aspects of the physical, mental and behavioural assessment of the veteran.

- 3.4 Go to Appendix I for details of qualifications of the needs assessors.
- 3.5 Veterans' Affairs reserves the right to undertake a further medical assessment if required.

## 4. Determining which agency conducts the Vocational Needs Assessment

- 4.1 Go to section 5 of separate paper on Vocational Rehabilitation.
- 4.2 Go to sections 3 and 4 and Appendix I flowchart of separate paper on Rehabilitation Section of Your Plans for process of carrying out a needs assessment of the veteran and determining which agency should take the lead on providing rehabilitation for a particular **accepted disability**.
- 4.3 Veterans' Affairs (the Rehabilitation Advisor) will determine whether another agency has already conducted a vocational rehabilitation needs assessment, and if so, whether the assessment is based on comparable criteria to that which Veterans' Affairs uses. Veterans' Affairs will also check what vocational rehabilitation the other agency may have already done. Veterans' Affairs will then determine what assessments and vocational rehabilitation may need to be done.
- 4.4 Where the vocational rehabilitation needs assessment is to be undertaken by Veterans' Affairs, the Rehabilitation Advisor will engage with suitably qualified assessors (see Appendix I) to undertake the assessment and will provide the assessor with all the relevant information held.

*Section 212 of the Veterans' Support Act 2014*

- 4.5 See the paragraphs below and the flowchart at Appendix II of this paper for the process for conducting the needs assessment once it has been established whether another agency has already conducted a vocational needs assessment.

## 5. The initial occupational assessment

- 5.1 The Rehabilitation Advisor must provide all information Veterans' Affairs has that is relevant to an initial occupational needs assessment of the veteran to the occupational assessor.
- 5.2 The occupational assessor (or psychologist or counsellor) will take this information, and the information received from the veteran, into account, discuss with the veteran all the types of work that are available in New Zealand and suitable for the veteran, and consider any comments the veteran makes about those types of work.

5.3 The occupational assessor may also take into account the veteran's pre-injury/illness occupation, training completed, qualifications, skills and earnings.

*Section 132 of the Veterans' Support Act 2014*

5.4 The occupational assessor must prepare and provide Veterans' Affairs with a report of the initial occupational assessment identifying the types of work appropriate to the veteran and taking into account the information, discussions and comments described in paragraphs 5.1 to 5.3.

5.5 The Rehabilitation Advisor will provide a copy of the occupational assessor's report to the veteran, who will have ten days to comment on it.

*Sections 130(a) and 133 of the Veterans' Support Act 2014*

5.6 For the purposes of this policy, "all types of work available in New Zealand" will be those jobs that exist within the current NZ Standards of Classification of Occupations. Whilst not limiting jobs for which the veteran is suited by reason of experience, education or training or any combination of these, the occupational assessor will identify and prioritise job options that most closely align with the veteran's pre-injury/illness occupations.

5.7 In identifying such jobs, the occupational assessor will consider the veteran's suitability as at the date of the consultation and will disregard:

- the effects of the veteran's injury/illness on the veteran's ability to work (it is the medical assessor's role to assess this)
- job availability (except in the meaning of being the types of jobs available in New Zealand)
- the veteran's child care requirements
- transportation availability
- the veteran's pre-injury/illness occupation, except when prioritising jobs (i.e. job options must not be limited to those which compare with the veteran's pre-injury earnings, hours of work or perceived status or prestige).

5.8 A veteran's disagreement with some or all of the identified jobs because they are not the veteran's preference, is not a reason to exclude them from the assessor's recommendations. The veteran's concerns will need to be discussed with the veteran and documented.

5.9 The occupational assessor's report should cover:

- the veteran's previous work experience
- education and training attainments
- education and training capability
- transferable skills

- the identified jobs
- an appropriate pathway to be able to attain a suitable position
- any barriers to vocational rehabilitation
- summary
- comments, submissions, issues and/or concerns raised by the veteran.

## 6. The initial medical assessment

6.1 The Rehabilitation Advisor must provide the medical assessor (occupational physician) conducting the initial medical assessment with all information that Veterans' Affairs has that is relevant to that assessment.

6.2 In conducting the assessment the medical assessor will take into account:

- information provided by Veterans' Affairs
- medical reports requested by Veterans' Affairs before the rehabilitation section of the veteran's Your Plan was prepared
- any other medical reports
- the occupational assessor's report on the initial occupational assessment
- the medical assessor's clinical examination of the veteran
- any other information or comments that the veteran wants taken into account and that the medical assessor decides are relevant
- any condition suffered by the veteran that is not related to the veteran's injury or illness.

*Section 136 of the Veterans' Support Act 2014*

6.3 For the vocational rehabilitation purposes, the initial medical assessment will cover:

- history of the injury/illness and its management
- the veteran's current functional and cognitive limitations, general symptoms, pain levels, mood, current abilities with regard to daily activities and goals for work and non-work activities
- past medical/surgical history including ongoing symptoms, any disability and adverse consequences of treatment
- current medications and allergies
- past occupational history

- personal and social history
- results of medical examination
- diagnosis and any conditions/barriers to vocational independence
- current medical restrictions and limitations
- specific determination of sustainability of work types including veteran's comments.

6.4 The medical assessor's report to Veterans' Affairs on the initial medical assessment must, as indicated in paragraph 5.1, determine whether the types of work identified are medically sustainable for the veteran.

6.5 A copy of the medical assessor's report will be provided to the veteran, who will have 10 days to comment on it.

*Sections 130(b) and 137 of the Veterans' Support Act 2014*

6.6 The Case Manager, in consultation with the Rehabilitation Advisor, will discuss the outcomes of the initial occupational and initial medical assessments with the veteran and agree on the treatment and rehabilitation plan (Your Plan).

## **7. Education, job application and interview coaching**

7.1 On receiving the occupational and medical assessments Veterans' Affairs (the Rehabilitation Advisor and Case Manager) will work with the veteran to identify the career options that may be sustainable for the veteran. Following the full assessment of the veteran's social, medical and occupational expectations, Veterans' Affairs will:

- allocate a vocational rehabilitation provider
- develop education or training goals with the veteran
- identify organisations that can assist the veteran to achieve the required goals
- provide job application and interview training support.

7.2 The vocational rehabilitation provider will design a programme to meet the needs identified and seek approval from the Rehabilitation Advisor to commence this.

## **8. Reassessment of needs**

8.1 On completion of vocational rehabilitation a vocational independence occupation assessment should be conducted to confirm the suitable job types, and a vocational independence medical assessment to identify in which job type(s) the veteran has achieved vocational independence.

- 8.2 If a veteran has not achieved vocational independence in any job types, re-assessment and further treatment and rehabilitation will be carried out. If the veteran is deemed to be vocationally independent, income compensation will cease after a period of time (refer to Income Compensation policy).
- 8.3 NB the veteran may gain full-time employment at any stage of this process and the assessments outlined in this section may not be required.
- 8.4 **See also section 9 of separate paper on Rehabilitation Section of Your Plans on Monitoring and Updating the Rehabilitation Section.**

## 9. Second Opinion

- 9.1 Veterans' Affairs reserves the right to obtain a second opinion with regard to the assessment and provision of rehabilitation services.
- 9.2 If a veteran seeks an independent opinion he/she does so at his/her own cost and Veterans' Affairs may take that opinion into consideration.

## 10. Living Overseas

- 10.1 The vocational rehabilitation policy applies equally to all New Zealand veterans, irrespective of their country of residence.

## 11. Reviews, Appeals and Complaints

- 11.1 If a veteran or other claimant disagrees about a decision concerning eligibility for an entitlement or service **see separate policies on Reviews and Appeals**. If a veteran or other claimant is concerned about Veterans' Affairs' administration of an entitlement or service **see separate policy on Complaints**.



## **Appendix I: Qualifications of the Needs Assessors**

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### **Initial Medical Assessment**

1. Veterans' Affairs' preference is to have the initial medical assessment for the vocational needs assessment conducted by an occupational physician who is a member of the Australia-New Zealand Society of Occupational Medicine.
2. Where this is not feasible, the medical practitioner must provide general medical services and:
  - have an interest, and proven work experience, in disability management in the workplace or in occupational rehabilitation; and
  - have at least 5 years' experience in general practice; and
  - be a Fellow of the Royal College of General Practitioners or hold an equivalent qualification; or
  - be undertaking training towards becoming a Fellow of the Royal New Zealand College of General Practitioners or holding an equivalent qualification; or
  - have undertaken relevant advanced training.
3. A medical practitioner who does not provide general medical services must:
  - have an interest, and proven work experience, in disability management in the workplace or in occupational rehabilitation; and
  - be a member of a recognised college.

*Sections 131, 134, 212(6) & (7) of the Veterans' Support Act 2014*

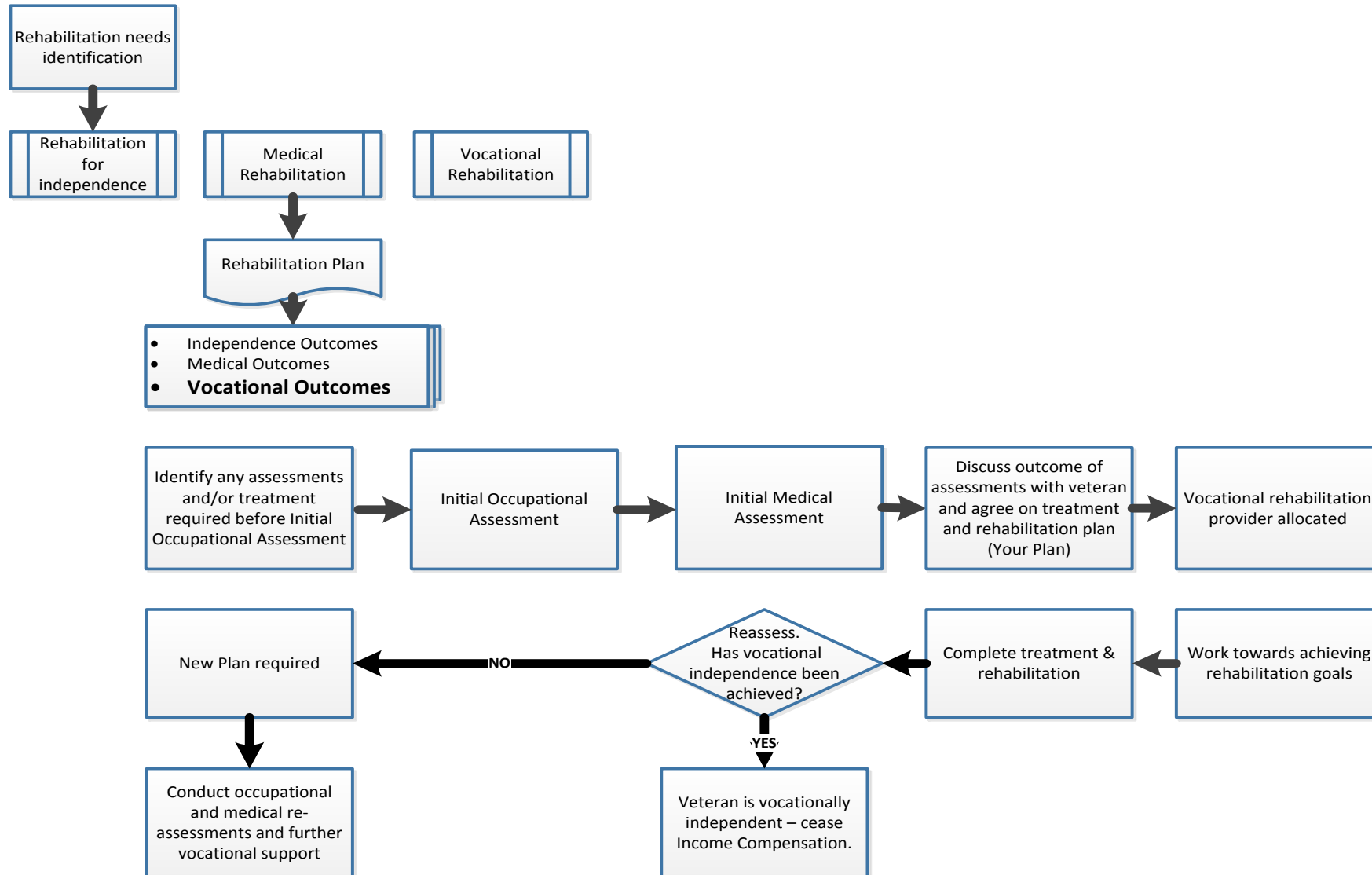
4. A medical practitioner who does not qualify as described in paragraphs 2 and 3 above may undertake a medical assessment if:
  - Veterans' Affairs is satisfied that the medical practitioner's qualifications and experience are broadly comparable
  - a medical practitioner with the qualifications and experience set out above is not available to undertake a medical assessment without undue delay or unreasonable inconvenience to the veteran
  - the delay or inconvenience would have an adverse effect on providing vocational rehabilitation to the veteran.

*Section 135 of the Veterans' Support Act 2014*

## **Initial Occupational Assessment**

5. For the purposes of this policy, an appropriately qualified and experienced occupational assessor will:
- have a tertiary qualification relevant to vocational guidance
  - be trained in using and interpreting validated psychometric test and assessment instruments
  - have experience in assisting people to identify realistic job choices, and
  - have and retain current membership of a relevant professional organisation (e.g. New Zealand Association of Occupational Therapists, New Zealand Psychological Society, or New Zealand Association of Counsellors).

## Appendix II



### Glossary

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**accepted disability** [policy definition]

Means an injury, illness or condition that Veterans' Affairs accepts as being service-related.

**medical practitioner** [section 7]

Means a health practitioner who is, or is deemed to be, registered with the Medical Council of New Zealand continued by section 114(1)(a) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine.

**member of the armed forces** [section 7]

Means a person who is or has been a member of the New Zealand armed force raised by the Governor-General on behalf of the Sovereign,—

- (a) whether in New Zealand or elsewhere; and
- (b) whether before or after the passing of this Act.

**qualifying operational service** [section 8]

Means—

- (a) service on any deployment treated as a war or emergency for the purposes of the War Pensions Act 1954; or
- (b) service on any deployment declared to be operational service under section 9.

**qualifying routine service** [section 8]

Means service in the armed forces before 1 April 1974 that is not qualifying operational service.

**veteran** [section 7]

Means—

- (a) a member of the armed forces who took part in qualifying operational service at the direction of the New Zealand Government; or
- (aa) a member of the armed forces who took part in qualifying routine service before 1 April 1974; or
- (b) a person—
  - (i) who has been—
    - (A) appointed as an employee of the Defence Force under section 61A of the Defence Act 1990; or
    - (B) seconded to the Defence Force with the permission of the Chief of Defence Force; and
  - (ii) who took part in qualifying operational service at the direction of the New Zealand Government; or
- (c) a person who, immediately before the commencement of Part 3 of this Act, is eligible for a pension under the following provisions of the War Pensions Act 1954:
  - (i) section 19 (but only if the person was a member of the forces);
  - (ii) section 55 or 56;
  - (iii) Parts 4 and 5.