



Understanding the Police Officer Support Scheme

This fact sheet will help you understand the Personal Injury Commission's role in the new Police Officer Support Scheme and the steps involved in resolving a dispute under this scheme.

The Personal Injury Commission resolves disputes between people injured in motor accidents and workplaces in NSW, and insurers and employers. That includes officers who are injured in the course of their duties, as part of the new Police Officer Support Scheme.

What is the Police Officer Support Scheme?

The *Police Amendment (Police Officer Support Scheme) Act 2024* and *Police Amendment (Police Officer Support Scheme) Regulation 2024* commenced on 27 September 2024, creating a new support scheme to replace the Police Blue Ribbon Insurance Scheme. With a focus on injury prevention, rehabilitation and supporting officers to return to work, wherever possible, the scheme provides eligible officers who are injured on duty and in receipt of weekly workers compensation with supplementary support payments for up to seven years, with the possibility of extension for up to an additional three years in cases of catastrophic or exceptional injuries.

What is the Commission's role?

The Commission has new powers to determine disputes in relation to decisions made under the new Scheme, including hearing and determining applications regarding disputes of decisions made under the regulation. To undertake this work, the Police Officer Support Scheme Division has been established through amendments to the *Personal Injury Commission Act 2020* and is headed by a Division Head appointed by the Attorney General. Over the coming months, members and medical assessors will be appointed to the Division.

The dispute resolution model for the new Division will mirror the current workers compensation model as far as practicable. Conciliation will be used as a first step to resolving disputes, meaning we will work collaboratively with parties to try to assist them to reach an agreement without a formal determination. However, where an agreement cannot be reached, we will decide the dispute.

Our aim is to resolve disputes justly and efficiently in the shortest time possible, working collaboratively with all parties to achieve this.

Will there be any other changes?

We are currently reviewing our rules and procedures to ensure they are fit for purpose, and will also review the membership of the Personal Injury Commission Rule Committee to ensure police representation. Engagement with the NSW Police Force is ongoing.

Can a dispute be lodged now?

An application can be lodged by downloading and completing Form 2 (Application to Resolve a Dispute), available on our website. It must include all information relevant to the dispute in an indexed and paginated bundle, as it may not be able to be added later on.

The Commission is introducing a 500-page limit on supporting material for certain initiating applications and replies, and this will apply to disputes lodged under the Police Officer Support Scheme once the rule relating to the 500-page limit commences. If a party intends to rely on more than 500 pages of supporting material they can make an application to lodge additional documents provided they relate to the real issues in dispute.

Once the application to lodge a dispute is complete, please email it to us at help@pi.nsw.gov.au. Eventually, parties will be able to lodge applications under the Police Officer Support Scheme via Pathway, our single digital platform.

What happens once a dispute is lodged?

The application will be reviewed and, if accepted, will be registered with the Commission. (If it is not accepted, we will contact you.) We will then seek a reply from the other party within 21 days.

The matter will be listed with a member, an experienced, independent decision-maker appointed by the Attorney General to help resolve disputes, 28 days after registration.

The member will review all material lodged ahead of a preliminary conference with all parties to the dispute.

If required, the member will also refer the injured officer for a medical assessment with one of the Commission's medical assessors.

What if there is an associated workers compensation dispute?

When an application is lodged for a Police Officer Support Scheme dispute, we will check if there is an associated workers compensation dispute.

All members appointed to the Police Officer Support Scheme Division will be dually appointed to the Workers Compensation Division. Where a dispute comes before both divisions, we will streamline them to ensure they are allocated to the same dual member at the same time who either resolves the dispute or issues a single decision.

Can I lodge a dispute under the Police Blue Ribbon Scheme with the Commission?

No. The Commission has only been conferred the dispute resolution function for the new scheme, and can only hear matters relating to claims made under the Police Officer Support Scheme from 27 September 2024.

What happens once a matter is listed for a preliminary conference?

The preliminary conference, also known as the initial conciliation conference, is a first step to trying to resolve your dispute, and the member will bring all parties together via video conference to help the parties identify the issues in dispute and possible ways to resolve it.

A high proportion of disputes are successfully resolved at this conference. However, if the parties cannot reach an agreement, the matter may progress to a second conciliation conference and arbitration hearing to be formally decided by the member. This will only occur if the member is satisfied that the dispute cannot be resolved by agreement.

More information about conciliation conferences and arbitration hearings can be found in our fact sheet 'What to expect at an arbitration hearing - workers compensation', available on our website.

How long will the dispute take to resolve?

The time taken to resolve a dispute depends on:

- the issues in dispute
- the standard of preparation by the parties
- the willingness of parties to genuinely attempt resolution
- whether a decision is appealed.

How are updates provided as the matter progresses through the Commission?

The case owner will update the legal representatives throughout the dispute resolution process, including any steps needing to be taken. Case owners may also engage with an injured person directly if they are self-represented or in relation to some Commission events, such as a medical assessment.

What if a party is unhappy with the outcome of the dispute?

If any party is unhappy with the outcome of the dispute, a request can be made for an appeal before a Presidential Member of the Commission.

Publication of Personal Injury Commission decisions

The Commission publishes many of its decisions online, as required by the *Personal Injury Commission Act 2020* to ensure our decisions are transparent and robust. Decisions that are published online include a decision by a member or decisions of medical review panels and medical appeal panels.

If you have concerns about aspects of a decision being published, you can apply for it to be de-identified or redacted at any time during proceedings or within seven days of the decision being handed down.

More information

You can find information about dispute pathways, dispute resolution events, the 500-page limit and the publication of decisions on our website, including a range of easy-to-read fact sheets. Visit www.pi.nsw.gov.au

Contact us

Personal Injury Commission
Level 21, 1 Oxford Street
Darlinghurst NSW 2010
Phone: 1800 742 679
Email: help@pi.nsw.gov.au

Medical Suites

Level 8, 1 Oxford Street
Darlinghurst NSW 2010
www.pi.nsw.gov.au



Personal Injury
Commission