Personal Injury Commission

New South Wales

Responses to Legal Representative Questions About the Pathway Portal

Category	Your Questions	Our Response
Applications	Is the Commission taking this opportunity to create a form for death benefit matters that is accessible online?	This is an enhancement we hope to deliver at some point in the future.
	How long do you keep draft application documents before they are removed?	Drafts have an expiry date displayed against them and are removed from the Pathway Portal upon expiry. Currently the default expiry is 14 calendar days since the date of the last modification of the draft.
	Will we lose our draft applications when the data is transitioned to the Pathway Portal?	We will migrate all draft applications to the Pathway Portal as long as they have not expired before migration to the new platform.
	Do we get a timetable when an ARD is lodged?	The Commission will no longer attach proceedings timetables to emails. The reply request sent to the respondents will have a reply due date captured in the email notification and all parties will receive separate notifications when the preliminary conference has been booked.
Digital service of documents	Which application form types will digital service of documents and reply requests be used for?	• Form 2 - Application to Resolve a Dispute • Form 7 - Application for Assessment by a Medical Assessor • Form 10 - Appeal Against a Decision of Medical Assessor • Form 11B - Application to Cure a Defective Pre- filing Statement • Form 11C - Application for Mediation to Resolve Work Injury Damages Claim • Form 20 - Miscellaneous

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		• Form 15 - Application for Assessment of costs • Form 15A - Application for Assessment of costs • Form 15B - Application for Assessment of costs
	Is a message sent to the parties advising of documents filed?	When documents/submissions are filed, an email notification will be sent.
	If the email address of the legal representative is entered incorrectly in an application, will the person who lodged the form get a bounce back like you would if you served the document via email?	The Commission Registry will digitally serve the application, supporting documents and a request for reply to the respondent or their legal representative to view via the Pathway Portal. If the email address of the legal representative is captured incorrectly, the application and documents including the reply request will still be visible to the Super Users of the respondents in the Pathway Portal but there is no bounce back email to the applicants.
	For filing documents and service not being required, is a message sent to the parties advising of documents filed?	When documents/submissions are filed, an email notification will be sent to the parties advising of documents filed.
Non-Digital service of documents	Which application form types require the filing party to serve the documents on the respondent before submitting an application?	• Form 1 - Application for Expedited Assessment • Form 1A - Application to Revoke an Interim Payment Direction • Form 6 - Application to Resolve a Workplace Injury Management Dispute
	Which application form types still require the filing party to serve the documents on the respondent after the application is registered?	• Form 2D - Application in Respect of Death of Worker • Form 5A - Application to Register a Commutation Agreement • Form 9 – Application to Appeal Against the Decision of a Member • Form 11 - Direction for Access to Information and Premises • Form 11E - Application to Strike Out a Pre-filing Statement

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Email notifications	Is it possible for email notifications to include a short summary?	For data security purposes, the email notifications contain limited information and prompt you to view the information in the secure Pathway Portal.
	Can more than one user be assigned to a matter to receive email notifications for a matter?	Super Users can add Secondary Contacts to any matters for visibility but currently any notification will still go to the Primary Contact. We are exploring enhancing the functionality for notifications in the future.
	If the Primary Contact is a Super User, will they still get email notifications?	Yes.
Log in details	What happens if you have two accounts with an old and new email address and matters under your old and new email address?	If you have two different accounts with an old and new email address, this is going to be migrated as is. If you would like these two different accounts to be merged, please contact the Digital Support Team at wcsupport@pi.nsw.gov.au to have them merged.
Matters	Are motor accident matters kept separate from workers compensation matters in the Pathway Portal?	If you are a user associated to both motor accidents and workers compensation matters, you will be able to see all of them in the Pathway Portal.
Messages	For the mediation process, when the parties are to provide the agreed date, will this be an example of when the message function will be utilised?	Yes.
	Will I get an email to say I have a message, then I go into the Pathway Portal to view?	Yes, you will receive an email notifying you that you have a message to view in the Pathway Portal.
	If a message thread has been closed off, can you still go back to view it?	Yes.
Redaction	When filing factual reports do we still need to redact the hyperlinks?	When filing any material with the Commission, it needs to be supplied in a format which is acceptable to the Commission. Any material which needs to be accessed by a hyperlink is generally not considered cyber safe and therefore should be redacted.

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Reply requests	For form types where the Commission issues the reply request, do we still need to do a certificate of service?	No.
	What will happen if we don't know which lawyer is acting for the respondent?	The reply request will be sent to the insurer.
	Will the Registry send a reply request to the employer or only to the insurer? Does that still work if the employer does not have an email address?	The Commission Registry will send a reply request to the respondent insurer or their legal representative only.
	What happens if a lawyer is not listed on the application?	The reply request will be sent to the insurer.
	What happens if the email of the respondent for the reply request is wrong?	If the email address of the legal representative is captured incorrectly, the application and documents including the reply request will still be visible to the Super Users of the respondents in the Pathway Portal but there is no bounce back email to the applicants.
	Can any user file a reply on behalf of the acting Solicitor.	Yes.
	If someone is not listed in a matter as a contact, can they still file a reply?	Yes, provided that they are a registered Pathway Portal user.
	How do respondents receive a reply request?	When the Commission requests a reply, an email notification will be sent to the legal representative Primary Contact named in the application. Reply requests will also be visible to the Super Users of the firm, in which case, they can be assigned/reassigned.
	If a reply request is sent to a practitioner on leave, will the system recognise an out-of-office email has been received and notify the firm's Super User or similar?	The Commission Registry will digitally serve the application, supporting documents and a request for reply to the respondent or their legal representative to view via the Pathway Portal. If the legal practitioner is out of office, the application and documents including reply request will still be visible to the Super Users of their firm in the Pathway Portal to assign to someone else.

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	Can we now amend a reply after we have lodged it if it is still pending?	Amending an existing reply, which is still awaiting processing with the Commission's Registry team is not going to be possible because the application is already in their queue. If you need to amend a reply after submitting, please notify the Commission's registry team to reject the reply so that it can be returned to you to amend and resubmit.
Security time out	Is there an increase in 'idle time' before the system shuts you out?	The Pathway Portal will have a session timeout window of 60 minutes applied for cyber-security purposes. This means that if no user activity was performed for 60 minutes, such as saving a draft or navigating to other screens, the system will log you out automatically.
Super Users	Can a firm have more than one Super User?	Yes - a firm can have any number of Super Users. An existing Super User can elevate access for any other users to become additional Super Users for the firm.
	Do you have to be a Super User to reassign matters that are already assigned to you?	Yes
	Do you need to be a Solicitor to be a Super User?	No. Any Pathway Portal user can be nominated as a Super User.
	If the Super User assign it to a member - will they be notified	Once a reply request or matter is assigned to a user, it will start to appear under that user in the Pathway Portal. There is currently no notification sent to the assigned user.
	If the Super User reassigns a request to another solicitor, will that reassign the carriage of that matter on the portal or just the specific request assigned?	Upon assigning a reply request to another solicitor, it is just that specific reply request which gets assigned. The carriage of the matter would still be determined by the primary contact associated to the matter from your firm. To reassign the carriage of the matter, that's a separate activity

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		you can undertake by reassigning the matter to another contact. Once you've reassigned the matter to another contact, the new contact takes over the carriage of the matter for ongoing purposes.
	Do all Super Users get a log in?	Yes.
	If I am already a Super User for motor accidents matters, will I automatically become a Super User for workers compensation matters?	Yes.
System roles	If a Secondary Contact files a document on behalf of a Primary Contact (e.g. a reply), is the name signing the document at the bottom the Secondary Contact (e.g. assistant's name) or the Primary Contact's name (e.g. solicitors name)?	On the certification and signature page, the system will be capturing the name of the user under whose account the certification or signature checkbox is being ticked.
	If a non-Super User prepares and lodges an application on the Pathway Portal, will it only be the Super Users that see the file and receive notification emails before they assign it to another user in the firm?	No matter who lodges the application, any notification emails once the application is accepted will be sent to the email address of the nominated primary contact. If the matter is reassigned to another primary contact, any future notifications will go to the newly assigned contact.
	Is there an option to have more than one Secondary Contact? Say if a solicitor has 2 assistants, can both be listed in a matter?	Yes, multiple contacts can be added as secondary contacts in any matter.
	If someone is not listed in a matter as a contact, can they still file a reply?	Yes.
	Can an insurer assign a solicitor to the matter?	We are looking at a future enhancement for insurers to assign/reassign solicitors via the Pathway Portal.
	Does the secondary party added to a matter also get an email notification?	No. Only the Primary Contact will receive email notifications.

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	Is it possible to allow legal assistants/paralegals to also have access to the same cases with their own login?	As a Super User, you can have access to all the matters for your firm including access to admin functionality.
	Is there more than one user type - i.e. Legal Representative or Paralegal or Law Clerk?	Currently not. We are considering a future enhancement for additional user types including users who can be set up as delegates for one or more solicitors in the firm.
	Can an admin assistant with their own login file a reply for example on behalf of a lawyer, or does it have to be done via the lawyer's login?	While a draft can be prepared under the login of support/admin staff, it is best that the certification and signature page is filled by solicitors under their own account. If a solicitor's account is set up as a Super User, that account can access drafts created under any other account in their firm.
	Can a PA/Secretary have their own login and view the matters ?	Any support staff can create their own login and it may be best that their profile is elevated to become a Super User.