

VITA

Veterans' Indemnity and Training Association

What is VITA?

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

VITA also maintains an insurance policy providing basic protection for VITA members' advocates for accidents that occur at a client meeting, while travelling to and from a client meeting, and for travel to training.

VITA supports the Advocacy Training and Development Program (ATDP) and, during the transition period, its predecessor: the Training and Information Program (TIP). These programs deliver the training and currency needed for advocates to meet the requirements of the professional indemnity insurer.

What does VITA's professional indemnity insurance policy cover?

The VITA professional indemnity insurance policy covers VITA members and their authorised advocates in circumstances where they have provided 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 insurance policy does not cover:

- advocates who belong to ESOs that are not VITA members, even if the advocate is ATDP or TIP-trained
- VITA members' advocates who do not hold written authorisation from a VITA member to act on its behalf
- any advocate who charges a fee to their client, or
- any advocate who provides legal advice or financial advice.

Membership requirements

VITA accepts applications for membership from ESOs or incorporated groups 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*)
- meet the authorisation requirements for their advocates, and
- pay the annual membership fee when it is due.

Requirements for Advocates

1. Authorisation

Advocates must be authorised by a VITA member to act on that member's behalf at a level consistent with their training and currency.

In authorising an advocate to act on its behalf, the VITA member must ensure that advocates:

- are in good standing with their parent organisation and comply with the ATDP Code of Ethics
- have completed ADTP or TIP training and have undertaken professional development or refresher training so that their knowledge and skills are current and effective
- provide their services free of charge to the client (except for the recovery of minor administrative costs such as postage and photocopying)
- do not provide legal advice or financial advice, and
- provide written authorisation to their advocate to act on its behalf to any client to whom they are providing advice and/or advocacy services.

2. Record Keeping

– Case notes

VITA also requires advocates to maintain detailed case notes. Case notes are critical for assessing a claim made against an advocate or VITA member, and will be called on by the insurer to establish liability. It follows that case notes are vitally important documents which protect the advocate and must be accurate, current and complete.

The case notes need to clearly state the name and address of the client, the advocate and the name of the authorising VITA member.

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

– Logbook

Advocates must 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. The log needs to specifically record the actual advice or advocacy delivered by the advocate together with any notes relating to the claim.

– Database

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

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.

In addition, the client may wish to seek legal advice to help them set out their claim in a manner likely to expedite 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 the VITA membership. 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 memberships for existing members, and arranges the two insurance policies.

The committee is also 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 policy advice and operational support.

Contact VITA

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