

## **VAC Application Guide for Disabilities Claims – Physical (Nova Scotia)**

When you submit an application for disability compensation or reassessment of an existing disability pensioned condition a statement should be submitted with your application describing how the injury occurred during your service in the Force that led to your disability. You will be supplied with a Statement in Support of Claim form where you can write down your statement. You can add additional information by attaching it to your application. If this is a reassessment of your existing disability VAC will have a copy of your original approved disability claim and another statement isn't required. However, the Quality of Life questionnaire must be completed as part of the process. It is important that the Medical Questionnaire included in the package be completed by a medical professional. If you believe that you have a work-related disability call 1-866-522-2122 (TO DAY!!!!) and make an application for your disability(s). When prompted hit 1 which will take you to a VAC representative. This will be the date of record for your disability application. Records to Have Available It will help to have your medical, personnel and service files and records of your own communications to help jog your memory. You can request a copy of these records through the RCMP HQ in your area. For NOVA SCOTIA resident Veterans: To Request Medical files in "H" AND "L" Divisions Contact : [healthservices.hdivision@rcmp-grc.gc.ca](mailto:healthservices.hdivision@rcmp-grc.gc.ca) Occupational Health and Safety Services 80 Garland Avenue, Mailstop # H-062, Dartmouth, NS B3B0J8 To Request Service & Personnel File Contact: [HDiv\\_CMTR.HDIV\\_HQ.HDIV@rcmp-grc.gc.ca](mailto:HDiv_CMTR.HDIV_HQ.HDIV@rcmp-grc.gc.ca) Career Development & Resourcing "H" Division 80 Garland Avenue, Dartmouth, NS B3B0J8 These records may help you remember dates and other details of what happened. However, do not wait for these files to arrive before you submit your disability application. Veterans Affairs Canada will also have access to your medical file and they will review the file as part of their review process. Gathering Evidence Relating to the Injury Obtain Your Service and Medical Files: As our retired members become older, they often experience a significant decline in their health; many of those health problems are found to be directly associated to their service in the RCMP. The majority of these retired members do not have in their possession their Service or Medical files to assist them in preparing a presentation to Veterans Affairs Canada (VAC) for a pension support to deal with their medical problems, or to increase the level of support they might presently receive. In this Division, through the RCMP Nova Scotia Veterans' Association, we are encouraging both serving and retired members to obtain their Service and Medical and Administrative files. This is the first step towards establishing many claims. Note that due to the legalities surrounding the Privacy of Information, if you were to pass on before your spouse, she/he or other members of your family would not be able to access your files for 20 years following your death. We therefore stress that it is critical that all retired members order their files. There is NO CHARGE for this service to you. Developed by Support and Advocacy Committee of Nova Scotia RCMP Veterans' Association Amended July 2019

2 Procedure to request/obtain files: For Serving or Former Members: Responsibility of RCMP: Upon receipt of a request from an individual seeking access to his or her personnel or health files, whether or not the individual is still serving or employed by the RCMP. 1. Provide access to the requested personnel or health file in a controlled environment as soon as practicable, e.g. by providing access within a Career and Development Resourcing Office or Health Services Office. The individual may take notes, and if he or she seeks copies of materials, all efforts are to be made by the implicated Career and Development Resourcing Office or Health Services Office to provide copies at the time of access. However, if meeting the request for copies is not immediately possible, the requesting individual will be advised by the Office when the requested copies will be available. Every effort is to be made to keep the time lapse between request and provision to a

minimum. The Office in question will vet the file for materials that are not releasable (for example psychological testing instruments) to ensure that they are not copied and released. Note: Offices holding personnel or health files should not refer individuals requesting access to their files to make ATIP requests instead of providing access. Individuals may only access their own personnel or health files. Under no circumstances may an individual have access to personnel or health files of any other member or employee pursuant to this framework. 2. If a request for a copy of a personnel or health file is not made in person, for example through a written request, the receiving Career and Development Resourcing Office or Health Services Office in receipt of the request will vet the file for materials that are not releasable and provide the copy of the file as soon as practicable. Requesters will be advised when they can expect to receive their copies. In the event that a requested file has been archived, then the Career and Development Resourcing Office or Health Services Office in receipt of the request for access will request their divisional Records Management Office to obtain the requested file from Archives in a timely manner. Upon receipt of the requested file, the process described above is applicable. To Request Medical files in "H" AND "L" Divisions Contact : healthservices.hdivision@rcmp-grc.gc.ca Occupational Health and Safety Services 80 Garland Avenue, Mailstop # H-062, Dartmouth, NS B3B0J8 To Request Service & Personnel File Contact: HDiv\_CMTR.HDIV\_HQ.HDIV@rcmp-grc.gc.ca Career Development & Resourcing "H" Division 80 Garland Avenue, Dartmouth, NS B3B0J8 How to Write Your Statement Write very clearly, or type on a computer if you can. Describe the injury in the order that they happened. Tell where the event happened, what unit you were in at the time, and when it happened (as best you can). Provide as much detail as you can. Developed by Support and Advocacy Committee of Nova Scotia RCMP Veterans' Association Amended July 2019 3 Describe How You Have Changed Next, describe what your life was like before your injury in the RCMP or what your relationship with friends and families was like before the injury, whether you played sports on a Force team in police community-based function etc. Give specific examples of your symptoms regarding your injury. Talk about what help you have received for this condition to date – or your attempts to have your concerns recognized. Sign your statement, and if there are several pages, add page numbers and staple the packet together. Tips on writing an effective statement to VAC A well-written statement is a very powerful tool. While you don't need the skills of an English teacher to write an effective statement, here are a few things you shouldn't do, as well as those you must do. Although the "computer age" was to rid our offices of paper, it seems to have just given everyone their own printer along with reams of paper. So, your statements to the point. Here are a few more tips: • Use italics, boldface and large font sizes sparingly. • Keep your message factual. • Make reference numbers and dates clearly visible. • In response letters, clearly reference and quote from the original message. • Never use colored fonts. • Never type IN ALL CAPS to emphasize your points. • Use plain white sheet paper of a medium grade quality. Remember: Your message on that piece of paper becomes a legal document. If your case should go into a lengthy appeals process, the document you write today may be read again in a court room several years later. Your statement establishes the tone of who you are and your level of professionalism. You may not be appearing in front of the person who will read your communication. So, this statement is your opportunity: 1. to ensure you have provided the evidence required by VAC to render a decision. 2. by ensuring the application is complete and the statement is explanatory. State facts that are relevant to your case. The VAC reader cannot respond to or consider your personal theories of how unfair VAC is to veterans. It is not VAC's job to listen to how you may have fallen on hard times. Your insults toward VAC will be ignored. (NOTE: VAC decisions are evidence based as in accordance with authorizing legislation and policies.) We believe that most VAC Service Representatives will do their best to allow a veteran a

little leeway if he or she is angry and needs to blow off a little steam. However, a steady stream of insults is just a waste of everyone's time. Also, these people are human. Wouldn't insults have a negative affect on you, if you were the decision maker? If you feel compelled to write such material in your statement, do so. Then throw it away. Then set about the task of writing a statement that will help you communicate with VAC effectively. Developed by Support and Advocacy Committee of Nova Scotia RCMP Veterans' Association Amended July 2019 4 VAC is looking for clear documentation of: 1. a confirmed diagnosis by a qualified medical professional 2. an event that occurred that had an impact on your health which caused or aggravated your claimed condition, 3. the circumstances surrounding the event to assist in making the service relationship, 4. subsequent treatment records of how the injury or illness was addressed at the time, and 5. any follow-up care or treatment. 6. The 5 Whys and How. • WHO: Do you have Medical documentation from your RCMP Medical file or local doctors? • WHAT Caused the Injury – Did you have a specific incident that caused this disability? • WHEN: If you have a specific date describe when it occurred. • WHERE: If specific injury where (location) did it occur on duty. • WHY: Describe why the incident occurred. • HOW: Describe how the injury occurred on duty. • Is the injury prolonged or chronic – Describe the injury and the care and treatment being received. • Include Witness Statements from Family, friends, co-workers 7. If this is a Consequential or Aggravation condition Injury related to an existing injury - Explain this in your statement. 8. The two most common reasons why an application isn't approved is: • No confirmed diagnosis from a medical professional and no supporting evidence to indicate it is a service (work) related injury. This evidence will be given significant consideration and weight. Almost anything can be submitted as supporting evidence. Photographs, maps, letters to loved ones and recordings have all been considered as evidence to document events. Search through your notebooks for details of dates and names of those Requesting Statements from Family Members, Friends and Coworkers Building a case / providing evidence: If, upon receipt and review of your files, you find that a particular incident that may have led to your injury is not noted in the files, and thus cannot be photocopied and referred to in your application to VAC, you will need to resort to other evidence; in this case, you will need to seek other sources to substantiate / corroborate the facts. This could be a superior (i.e. unit commander) at the time, a co-worker, or even your spouse. Newspaper clippings of events also may serve to validate your claim. In addition – the sworn statements or supporting letters from other members involved will hold weight in your application. It is imperative to action this method as soon as possible; with our co-workers and managers also aging, there may be fewer and fewer persons who can validate your story if you wait too long. Ask friends, family members and co-workers for a statement detailing how you have changed or things they have noticed while you were in the Force or changes in your behaviour following your retirement. If you, co-workers, family or friends keep a diary or notes, it can be helpful to refer to it. Your friends, family members and coworkers have a special ability to describe how your life has changed as a result of your injury while in the Force. They may be able to write about the person you were when you entered the Force and the changed person you have become. Each person will need to describe their relationship to you, how long they have known you. They should be as honest as possible and just let the facts about your injury speak for themselves. These statements are only useful as evidence in Developed by Support and Advocacy Committee of Nova Scotia RCMP Veterans' Association Amended July 2019 5 support of your claim and irrelevant information should not be included. Make sure they sign the statement and include their full name and address. Direct Service Connection for Injury In May 2015, the Federal Court of Appeal delivered a judgement in COLE vs Attorney General of Canada (2015 FCA 119). That decision very clearly laid out a four-step process that members must satisfy to establish

entitlement to a disability pension under paragraph 21(2)(a) of the Pension Act. They are: 1) Step one requires the applicant to demonstrate that he or she has a claimed condition – an injury or disease, or an aggravation thereof. 2) Step two requires the applicant to demonstrate that the claimed condition “arose out of or was directly connected with” his or her service as a member of the forces. 3) Step three requires the applicant to establish that he or she suffers from a disability. 4) Step four requires the applicant to establish that his or her disability resulted from a RCMP service-related claimed condition. Failure to establish any one of these four steps could be fatal to your application. If you can provide evidence/documentation to establish these four steps, you will be successful in your application. Here’s what this means for you: When you are filing a disability claim, it’s important to research the condition you are currently applying for, so that you understand the wording that VAC uses for certain disabilities. You can find the wording pertaining to your disability by visiting VAC Web site: [www.veterans.gc.ca](http://www.veterans.gc.ca) , the Entitlement Eligibility Guidelines <http://www.veterans.gc.ca/eng/services/after-injury/disability-benefits/benefits-determined/entitlement-eligibilityguidelines> and in the Table of Disabilities-: <http://www.veterans.gc.ca/eng/services/after-injury/disabilitybenefits/benefits-determined/table-of-disabilities> • Then, find the appropriate wording that VAC follows in assigning disability. • Go through your medical records to see what you were diagnosed with during your service. You may gather evidence from your family doctor or outside sources if you were treated by a professional outside RCMP health services. Bear in mind RCMP health records are of very poor quality and lots of information about injuries is simply not there. Another great source of reliable confirmation are members or ex members who recall incidents that lead to your disability. Once you get all this information gathered, craft your statement. • Remember, in order to get a service-connection the condition must be a current problem. Generally, it must also have occurred or have been aggravated while on duty or acting as a member of the RCMP. • It is important to use the right key words and to use them in your statement. Veteran Review and Appeal Board (VRAB) Decisions The attached link will take you to a site where you can review decisions made by the VRAB regarding a similar disability that you have applied for. In the search box enter your disability and a number of decision will be populated. Review these decisions and utilize any information that may help with your application. <http://www.canlii.org/en/ca/cavrab/> Developed by Support and Advocacy Committee of Nova Scotia RCMP Veterans’ Association Amended July 2019 6 VAC Disability - Gather and submit evidence What kind of evidence do I need? Proof of identity is required for new clients; it is not necessary to validate the identity of existing clients unless a risk is identified What is an acceptable proof of identity? • Driver’s license (provincial) • Provincial health care card (\*Excluding Alberta and Manitoba) • Other provincial identification card • Other federal identification card • Certificate of Indian Status • Vital statistics documents: birth certificate, marriage certificate • Employee identification card (Federal, provincial or municipal) • Canadian passport • Department of National Defence (DND) Casualty Notification Veterans Affairs Canada [VAC] is charged with evaluating your evidence to determine that the claimed condition is related to your service as required by the legislation. Once the claimed condition is determined to be service related, VAC assesses the extent of your disability and provides an assessment rating. You want to offer them the best possible evidence. who were with you at the time of the incident or personal files you may have retained. Prepare copies of these, as well as newspaper clippings or photographs that describe the event. To ensure that all critical records reach VAC, you must accept the task of retrieving and documenting. Remember, this is your case. Leaving this task to VAC is a mistake that may cost a great deal later. Then read these final tips: • Reference numbers: your VAC-File number, if you have one. When you’re replying to a letter from VAC, they will often tell you to use a file number when replying, so insert that, too. • State your case as briefly

as possible. • Be courteous, to the point. • Make your statement simple to read and factual. • Making demands, criticisms, telling your life story or otherwise straying from a professional tone will slow down the process. • You should organize yourself no differently then when you were conducting an investigation while in the Force. Open a separate file on each condition you are applying for and retain copies of all correspondence forwarded or received. Make notes on any phone calls or contacts you have regarding your application. If you have three applications, then you should have three separate files. This process will assist you from becoming overwhelmed and keep you focused on each application. VAC disability entitlement decisions are evidence-based decisions made in accordance with authorizing legislation and policies. More specifically, RCMP decisions are made in accordance with the RCMP Superannuation Act/ RCMP Continuation Act in accordance with the Pension Act and the related policies. A well put together disability application package that includes a descriptive and well-informed applicant's statement is very helpful to VAC in making these dec