

# How to claim a permanent disability benefit

This guide will help you understand how to apply for payment of your super and any total and permanent disablement (TPD) cover due to permanent disability.

We understand this can be a difficult time and aim to make the claim process smooth and simple. We're here to help you understand what you need to do and make sure you're informed from beginning to end.

Further information can be found in the relevant Insurance Handbook and Product Disclosure Statement (PDS) available at [aware.com.au/pds](https://aware.com.au/pds)

## What to expect in this guide

### 1 How we work with you

An overview of the service you can expect from us.

### 2 Our claims process

The five steps to assess your claim and reach an outcome.

### 3 Your questions answered

Have questions? You might find the answer here.

### 1 How we work with you

We'll connect you with your Aware Super case manager, who will oversee your assessment and keep you updated. We can also help you complete the forms over the phone and give you tips on how to find any supporting documents you need.

Generally, the easiest way to speed up your claim is to provide all requested documents with your application and to respond to requests quickly. If you have questions just give us a call or email us – we're here to help.

### 2 Our claims process



Contact us



Claim paperwork



Claim assessment



Claim decision



Outcome

## Contact us

- There are several ways you can start your permanent disability claim:
  - If you have TPD cover, you can access your *Aware Super Member Online* account and select “Make a claim” on the Insurance summary page, or
  - Call us on **1300 650 873**, Monday to Friday 8:00am to 7:00pm (AEST/AEDT), or
  - Request a call back at [aware.com.au/contact](https://aware.com.au/contact)
- You’ll need to have your super account information ready, including your member number, account number, and date of birth. We’ll also need to know the date of your illness or injury, and the last day you worked. This information will help us provide you with the right information on what you need to do next.
- If you prefer to call, we can answer any questions that you may have. We’ll also help you get started by posting or emailing the forms to you. We may also be able to organise for the insurer to call you to start your insurance claim over the phone if you have TPD insurance.

## Claim paperwork

- Your claim pack will generally include forms that you, your treating medical practitioner and a second medical practitioner, and your employer will need to complete. You’ll also need to provide proof of your identification to lodge the claim.
- We will assess your claim once we have all the necessary paperwork.
- Some of your documents may need to be certified. To check how to certify a document go to [aware.com.au/verify](https://aware.com.au/verify) or read the claim form provided in your claim pack.
- If you start your claim with the insurer over the phone or online, they’ll forward you a claim pack. You’ll also be connected with an insurance case manager to look after you.

## Claim assessment

- When you return your completed paperwork, we’ll check to make sure we have everything we need. If there is something missing or incomplete, we’ll let you know.
- If you are applying to release your super account balance only (no TPD cover), we’ll start reviewing your application.

- If you have TPD cover linked to your super account and you haven’t already started a claim with the insurer, we’ll submit your claim to them so they can connect you with an insurance case manager.
- Your claim assessment may take some time, especially if the insurer needs extra information from other parties like your treating doctor(s), employer, and other insurers (for example, Workcover). In some cases, you may need to provide more information to the insurer, like your tax returns and payslips.
- The insurer may also request specific medical reports or need you to attend other medical appointments paid for by them. Your insurance case manager will let you know if this is the case.

## Claim decision

We’ll determine whether we can accept your claim to release your super early.

- If you have also submitted a claim for your TPD cover, the insurer will decide to accept or decline your claim and will let us know the outcome.
- We’ll review the insurer’s decision to ensure it’s fair and reasonable, and that it meets the insurance policy terms and conditions.

## Outcome

- We’ll let you know once there’s a decision made about your claim (including any insurance claim).
- If your claim is approved, we’ll let you know the amount to be paid. If you request a cash payment, the money (less any relevant tax) will be paid directly to your nominated bank account using electronic funds transfer (EFT). We cannot pay the benefit to a third party.
- If your claim is declined, we’ll let you know the reason for the decision and will provide you with details on what you can do next.

### Tracking your claim online:

You may be able to track your claim online. Your insurance case manager can provide you with further details about how to do this.



### 3 Your questions answered

#### What is a permanent disability benefit?

You can apply for your super to be released early on the grounds of permanent incapacity (disability), if:

- you have ceased gainful employment, and
- we are satisfied that you are unlikely, because of physical or mental ill health, to ever engage in gainful employment for which you are reasonably qualified by education, training, or experience.

Gainful employment means employed or self-employed for gain or reward in any business, trade, profession, vocation, calling, occupation, or employment.

If you meet the permanent incapacity condition of release, you can potentially access:

- your super account balance, and
- any TPD cover you hold, subject to approval by the insurer at the time of your injury, or when your illness occurred.

If you have TPD cover, you'll need to meet the insurance policy terms and conditions to get a TPD insurance benefit.

We can only pay you an insurance benefit if we receive payment from an insurer.

To find out if you have TPD cover and your benefit details, login to *Member Online*, or call us on **1300 650 873**. For more details about your TPD cover, read the relevant Insurance Handbook at [aware.com.au/pds](https://aware.com.au/pds)

#### When should I lodge my insurance claim?

Depending on the circumstances of your claim, a waiting period may apply. Read the relevant Insurance Handbook at [aware.com.au/pds](https://aware.com.au/pds)

#### Can TPD and income protection (IP) claims be lodged at the same time?

Yes. If you have both IP and TPD cover, you can make a claim for both insurance types at the same time.

#### How long does a decision take?

It generally takes five business days to review your claim paperwork and decide next steps. If we don't have all the information we need, your claim can't progress.

It typically takes 3-6 months to fully assess your claim, however if your injury or illness happened

several years ago it may take longer. Your case manager will update you regularly on how your claim is progressing, and you can also contact them at any time.

#### Will there be costs for medical reports and examinations?

You are responsible for any costs required to complete the claim forms and any documents that we reasonably request during the assessment. You may also need to provide other evidence that the insurer reasonably requires to substantiate your claim. This would be at your own expense.

The insurer may need you to attend medical examinations by a health professional that they nominate, and/or to undergo tests that they consider necessary – these will be at the insurer's expense. Your case manager will let you know if these are needed.

#### How will we invest your insured benefit?

If your TPD claim is approved, we'll invest your benefit in the Cash investment option within your super account. You can switch your investment option(s) for your current balance and future contributions at any time via your Member Online account or the app, or by completing an Investment choice (superannuation) form at [aware.com.au/forms](https://aware.com.au/forms)

#### What if there is a different Aware Super insurance provider?

During the assessment of your TPD claim, we may identify that the liability to assess your claim lies with a different insurance provider. If this happens, we'll redirect your claim, with minimum interruption to the assessment.

#### How will we pay your claim?

If your claim is successful, you'll have four payment options:

**Option 1:** Withdraw all or part of your benefit

**Option 2:** Use your benefit to start an Aware Super retirement income stream account

**Option 3:** Keep your benefit in the fund within your existing account

**Option 4:** Transfer your super to another complying super fund

### Are there any financial or tax implications?

Your payment may be subject to tax. Please note that if we don't have your Tax File Number, your benefit may be taxed at the highest marginal tax rate.

If you cash your benefit as a lump sum, or transfer it to another super fund, the tax-free portion of your benefit may increase. This means that you may pay less tax when you cash or transfer your benefit. To be eligible for an increase to the tax-free portion of your disability benefit, we'll need certification from two doctors. This certification must confirm that, because of physical or mental ill health, you're unlikely ever to engage in gainful employment for which you are reasonably qualified by education, training or experience. Providing this in the early stages of your claim will allow for faster payment.

Please consider getting independent financial advice before you make any decisions about your payment.

For more information about tax on disability benefits, read the *Super Handbook* at [aware.com.au/pds](https://aware.com.au/pds)



### What if I have a defined benefit account?

If you have a defined benefit account, there are certain rules relating to the payment of benefits based on your age at date of disablement. Depending on your category of membership, you may also have other payment options available to you. Read the relevant defined benefit fact sheet available at [aware.com.au](https://aware.com.au) or speak to your Aware Super case manager for further information.

### What happens if the insurer declines my TPD claim?

If the insurer has reached an initial view that the insurance claim should be declined, they will write to you, and us, with a copy of all the evidence they will be relying on to reach their decision and an explanation, referring to the evidence and the insurance policy, as to why they have reached this view.

A period of 28 days will be provided for review of the proposed decision, for you to clarify or provide any additional information you wish the insurer to consider. At the end of the 28 day period the insurer

will again assess the claim, including any additional information provided, and reach a final decision on the claim, which will be advised to the Trustee.

We will review the decision and if we disagree, we'll ask for clarification or challenge the decision on your behalf. In some cases, we may need to ask for more information to support the claim. If we agree with the insurer's decision, we'll write to you with the decision, and advise the further steps you can take if you disagree.

Where you're not satisfied with the final decision, you can submit a complaint to us or to the insurer. If the complaint is not resolved to your satisfaction, you can contact the Australian Financial Complaints Authority (AFCA). AFCA is an independent body set up by the government to help resolve complaints relating to superannuation, including the payment of disability benefits. We'll provide further details about this process and AFCA's contact details if required.

### Do I need legal representation?

We cannot advise you on legal issues that may arise out of your claim. It may become necessary for you to obtain legal advice. This is entirely up to you. However, please be aware that:

- your Aware Super case manager will help you through each step of the process
- we have a legal obligation to act in the best interests of our members
- we assess all claims on a fair and reasonable basis
- you will need to pay for the costs involved in having your own legal representative.

### Can I nominate someone to act on my behalf?

You may want to appoint a representative to provide us with instructions on your behalf. To do this, you'll need to provide written consent. Contact your case manager to find out more about this option. You may also contact a solicitor or public trustee for information about appointing a power of attorney (POA). If you already have a POA, they must provide certified copies of both their identity and the POA document before they can act on your behalf.

## What are everyone's roles and responsibilities?

### We, as the trustee will\*:

- assign an Aware Super case manager to the claim who will:
  - explain the claim process to you and help guide you through it
  - answer any queries you might have
  - keep you updated on the progress of your claim
- oversee the claim assessment process to minimise any delays
- oversee the conduct and timeframes of the insurer (where applicable) and other service providers
- carry out a review if the insurer declines your claim, and will advocate on your behalf if we believe the claim has a reasonable prospect of success
- assess if you have met a condition of release and pay you your super balance and any TPD insured benefit (if applicable), less any relevant tax, if you meet the condition of release.

### The insurer will\*:

- assign an insurance case manager to your claim who will:
  - explain the insurer's assessment process to you and answer any queries you might have
  - be your main claim contact while your claim is being assessed, and
  - keep you updated on the progress of your claim.
- review the documents and request more information if needed
- assess if a TPD insured benefit is payable based on the policy terms and conditions
- if approved, pay the TPD insured benefit to your Aware Super account
- notify you if they are likely decline your claim. They will give you the necessary information to review the decision and provide information for further assessment.

\* In line with the standards and timeframes set out in the Financial Services Council's:  
– Standard on Claims Handling for Superannuation Funds  
– Life Insurance Code of Practice

### 3 Your questions answered

#### What is a permanent disability benefit?

You can apply for your super to be released early on the grounds of permanent incapacity (disability), if:

- you have ceased gainful employment, and
- we are satisfied that you are unlikely, because of physical or mental ill health, to ever engage in gainful employment for which you are reasonably qualified by education, training, or experience.

Gainful employment means employed or self-employed for gain or reward in any business, trade, profession, vocation, calling, occupation, or employment.

If you meet the permanent incapacity condition of release, you can potentially access:

- your super account balance, and
- any TPD cover you hold, subject to approval by the insurer at the time of your injury, or when your illness occurred.

If you have TPD cover, you'll need to meet the insurance policy terms and conditions to get a TPD insurance benefit.

We can only pay you an insurance benefit if we receive payment from an insurer.

To find out if you have TPD cover and your benefit details, login to Member Online, or call us on **1300 650 873**. For more details about your TPD cover, read the relevant Insurance Handbook at [aware.com.au/pds](https://aware.com.au/pds)

#### When should I lodge my insurance claim?

Depending on the circumstances of your claim, a waiting period may apply. Read the relevant Insurance Handbook at [aware.com.au/pds](https://aware.com.au/pds)

#### Can TPD and income protection (IP) claims be lodged at the same time?

Yes. If you have both IP and TPD cover, you can make a claim for both insurance types at the same time.

#### How long does a decision take?

It generally takes five business days to review your claim paperwork and decide next steps. If we don't have all the information we need, your claim can't progress.

It typically takes 3–6 months to fully assess your claim, however if your injury or illness happened several years ago it may take longer. Your case manager will update you regularly on how your claim is progressing, and you can also contact them at any time.

#### Will there be costs for medical reports and examinations?

You are responsible for any costs required to complete the claim forms and any documents that we reasonably request during the assessment. You may also need to provide other evidence that the insurer reasonably requires to substantiate your claim. This would be at your own expense.

The insurer may need you to attend medical examinations by a health professional that they nominate, and/or to undergo tests that they consider necessary – these will be at the insurer's expense. Your case manager will let you know if these are needed.

#### How will we invest your insured benefit?

If your TPD claim is approved, we'll invest your benefit in the Cash investment option within your super account. You can switch your investment option(s) for your current balance and future contributions at any time via your *Member Online* account or the app, or by completing an *Investment choice (superannuation)* form at [aware.com.au/forms](https://aware.com.au/forms)

#### What if there is a different Aware Super insurance provider?

During the assessment of your TPD claim, we may identify that the liability to assess your claim lies with a different insurance provider. If this happens, we'll redirect your claim, with minimum interruption to the assessment.

#### Are there any financial or tax implications?

Your payment may be subject to tax. Please note that if we don't have your Tax File Number, your benefit may be taxed at the highest marginal tax rate.

If you cash your benefit as a lump sum, or transfer it to another super fund, the tax-free portion of your benefit may increase. This means that you may pay less tax when you cash or transfer your benefit. To be eligible for an increase to the tax-free portion of your disability benefit, we'll need certification from two doctors. This certification must confirm that, because of physical or mental ill health, you're unlikely ever to engage in gainful employment for which you are reasonably qualified by education, training or experience. Providing this in the early stages of your claim will allow for faster payment.

Please consider getting independent financial advice before you make any decisions about your payment.

#### What if I have a defined benefit account?

If you have a defined benefit account, there are certain rules relating to the payment of benefits based on your age at date of disablement.



Depending on your category of membership, you may also have other payment options available to you. Read the relevant defined benefit fact sheet available at [aware.com.au](https://www.aware.com.au) or speak to your Aware Super case manager for further information.

### What happens if the insurer declines my TPD claim?

If the insurer has reached an initial view that the insurance claim should be declined, they will write to you, and us, with a copy of all the evidence they will be relying on to reach their decision and an explanation, referring to the evidence and the insurance policy, as to why they have reached this view.

A period of 28 days will be provided for review of the proposed decision, for you to clarify or provide any additional information you wish the insurer to consider. At the end of the 28 day period the insurer will again assess the claim, including any additional information provided, and reach a final decision on the claim, which will be advised to the Trustee.

We will review the decision and if we disagree, we'll ask for clarification or challenge the decision on your behalf. In some cases, we may need to ask for more information to support the claim. If we agree with the insurer's decision, we'll write to you with the decision, and advise the further steps you can take if you disagree.

Where you're not satisfied with the final decision, you can submit a complaint to us or to the insurer. If the complaint is not resolved to your satisfaction, you can contact the Australian Financial Complaints

Authority (AFCA). AFCA is an independent body set up by the government to help resolve complaints relating to superannuation, including the payment of disability benefits. We'll provide further details about this process and AFCA's contact details if required.

### Do I need legal representation?

We cannot advise you on legal issues that may arise out of your claim. It may become necessary for you to obtain legal advice. This is entirely up to you. However, please be aware that:

- your Aware Super case manager will help you through each step of the process
- we have a legal obligation to act in the best interests of our members
- we assess all claims on a fair and reasonable basis
- you will need to pay for the costs involved in having your own legal representative.

### Can I nominate someone to act on my behalf?

You may want to appoint a representative to provide us with instructions on your behalf. To do this, you'll need to provide written consent. Contact your case manager to find out more about this option. You may also contact a solicitor or public trustee for information about appointing a power of attorney (POA). If you already have a POA, they must provide certified copies of both their identity and the POA document before they can act on your behalf.

## We're here to help

### Contact us

-  1300 650 873
-  [aware.com.au/contact](https://www.aware.com.au/contact)
-  [aware.com.au/advice](https://www.aware.com.au/advice)

### Visit us

Come in to one of our local offices in Australia for help and advice.

[aware.com.au/locations](https://www.aware.com.au/locations)

**Important information:** Any advice in this document has been prepared without taking account of your objectives, financial situation or needs. Because of this, you should, before acting on any advice in this document, consider its appropriateness, having regard to your objectives, financial situation and needs. All insurance is subject to the precise terms of the relevant insurance policy, which will prevail to the extent of any inconsistency. You should obtain the relevant Product Disclosure Statement, the Insurance Handbook and Target Market Determination (TMD) and consider it before making any decision about whether to acquire the superannuation product. These documents are available on our website at [aware.com.au/pds](https://www.aware.com.au/pds) or call us and we'll send you a copy. The superannuation product is issued by Aware Super Pty Ltd (ABN 11 118 202 672, AFSL 293340) as trustee for Aware Super (ABN 53 226 460 365). The information in this document is a high-level summary only and you should refer to the Product Disclosure Statement and the Insurance Handbook. AS005 12/24