



McLean Care®

PROCEDURE**Return to Work Program**

WHS-PR-009

Applies to	Division:	McLean Care / Residential / Home & Community Care	Category:	Work Health & Safety (WHS)
	Scope:	All Staff		
	<input checked="" type="checkbox"/> Clinical		<input checked="" type="checkbox"/> Non-Clinical	

Purpose	To demonstrate the commitment of McLean Care Ltd to provide a return-to-work program that supports and encourages recovery at work of injured workers.
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Definitions	<p>Health - physical and psychological health.</p> <p>Health and Safety Representative (HSR), workers who are elected to represent the health and safety interests of their work group.</p> <p>Local Authority - a local authority under a corresponding WHS law.</p> <p>Medical Treatment - treatment by a medical practitioner registered or licensed under State or Territory law that provides for the registration or licensing of medical practitioners.</p> <p>Personal Information - has the same meaning as it has in the <i>Privacy Act 1988</i>.</p> <p>Plant includes:</p> <ul style="list-style-type: none"> a) any machinery, equipment, appliance, container, implement and tool; and b) any component of any of those things; and c) anything fitted or connected to any of those things. <p>Representative, in relation to a worker, means:</p> <ul style="list-style-type: none"> a) the health and safety representative for the worker; or b) a union representing the worker; or c) any other person the worker authorises to represent him or her. <p>Person Conducting a Business or Undertaking (PCBU) - a broad concept that extends beyond the traditional employer-employee relationship to include all types of modern working arrangements.</p> <p>Worker - A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:</p> <ul style="list-style-type: none"> a) an employee; or b) a contractor or subcontractor; or c) an employee of a contractor or subcontractor; or d) an employee of a labour hire company who has been assigned to work in the person's business or e) an outworker; or f) an apprentice or trainee; or g) a student gaining work experience; or h) a volunteer; or <p>Workplace - is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. This includes: a vehicle, vessel, aircraft, or other mobile structure.</p>
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Summary	<p>McLean Care will:</p> <ol style="list-style-type: none"> 1. Prevent injury and illness by providing a safe and healthy work environment. 2. Promote a positive attitude towards workers compensation claims and recovery at work 3. Consult our workers and, where applicable, unions to ensure this program is implemented successfully. 4. Review this program at least every 2 years to ensure it remains current. 5. Have procedures to help workers achieve the best health, work, and recovery outcomes. <p>To further support McLean Care's commitment to recovery at work, policy and procedures consistent with legislative requirements have been developed in consultation with staff, represented through the Work Health and Safety Committee and relevant unions.</p>
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	<p>McLean Care will develop a positive culture that promotes recovery at work by:</p> <ul style="list-style-type: none"> • Fostering positive attitudes towards workers recovering at work. • Promoting the health benefits of good work through wellbeing initiatives.
Details	<p>The Role and Function of the Return-to-Work Coordinator (RTWC)</p> <p>The RTWC is responsible for carrying out the day-to-day duties of the RTW program and is the link between the worker and their support team. The must have reasonable access to injured workers and their workplace.</p> <p>The RTWC has the authority to represent and make decisions for McLean Care related to the management of injured workers. Other duties include:</p> <ul style="list-style-type: none"> • Compiling the initial notification information. • Coordinating the worker's recovery at work, including identifying suitable employment opportunities. • Preparing, monitoring and reviewing a recover at work plan (in consultation with key parties) that documents the worker's capacity and duties available. • Liaising with external stakeholders, such as nominated treating doctor, insurer, treatment providers, union and workplace rehabilitation provider. • Implementing the RTW program. • Supporting the redeployment of workers (internally or externally) into suitable employment when they cannot return to their pre-injury duties. • Keeping injury and recover at work statistics. • Keeping confidential case notes and records in line with laws and guidelines. • Promoting the health benefits of good work to the workforce. • Contribute to the improvement of relevant policies and systems. <p>Workplace Arrangements</p> <p>The Return-to-Work Coordinator is:</p> <p>Name: Christopher Strong – McLean Care employee (WHS Officer)</p> <p>Email: Chris.Strong@mcleancare.org.au</p> <p>Whilst there is are nominated workplace rehabilitation provider in place, injured workers will have the opportunity to refuse or request a change in provider if they choose to do so. McLean Care will cooperate with the workplace rehabilitation provider and ensure that they are given opportunity to understand the unique needs and arrangements of the workplace. They will also be given reasonable access to the workplace and injured workers.</p> <p>Consultation</p> <p>Effective and successful RTW programs involve consultation from workers. Consultation regarding the RTW program will occur via the Work Health and Safety Committee and will include union representatives where and when required.</p> <p>Communication and Training</p> <p>The RTW program information will be displayed in staff rooms and via the intranet system. Training on the program will be included at induction and within the annual WHS compulsory learning package.</p> <p>Rights and Obligations</p> <p>Workers</p> <p>Workers will be informed of their rights and obligations throughout the recovery at work process. Workers are obliged to:</p> <ul style="list-style-type: none"> • Notify their manager as a soon as possible after a work-related injury occurs. • Participate and cooperate in establishing an injury management plan. • Carry out actions such a plan requires of them. • Provide their consent for information regarding injury management and recovery at work to be shared between the insurer, employer, nominated treating doctor, treating practitioners, providers and SIRA/icare/WorkCover. • Make all reasonable efforts to recover at work. <p>Workers have the right to:</p> <ul style="list-style-type: none"> • Nominate their own treating doctor.

- Employment that is both suitable and, so far as is reasonably practical, the same as or equivalent to their pre-injury employment.
- Be consulted and involved in identifying suitable employment and developing their recover at work plan.
- Privacy and confidentiality.
- Access mechanisms for resolving complaints and disputes.

Executive Management

- Provide leadership of the RTW program and ensure it is implemented and embedded across the organisation.
- Ensure the RTW Program is resourced appropriately and a suitably qualified Return to Work Coordinator is appointed.

Managers

- Ensure that all the requirements of McLean Care's Return to Work Program are implemented effectively across their areas of responsibility.
- Liaise with Return-to-Work Coordinator and injured worker to provide suitable duties within the workers medical capacity.
- Promote a positive culture within their area of responsibility around recovery at work.

RTW Coordinator

- Carry out the day-to-day processes of managing the recover at work process.
- Be a conduit between the injured worker and the other stakeholders involved with the recover at work process.
- Maintain records in accordance with legislative requirements.

Insurer

- Has an obligation to support employers and their workers during the recovery process and manage the claim to ensure entitlements are received.

Nominated Treating Doctor

- Support the worker to optimise recovery by using a combination of clinical intervention and injury management.
- Assessing the workers capacity so that suitable duties can be identified to enable the worker to recover at work.
- Providing details of the workers capacity on the SIRA/WorkCover certificate of capacity to the employer.

Workplace Rehabilitation Provider

- To become involved when they are engaged by the insurer, employer or worker and to carry out tasks as required including:
 - assessing a worker's capacity to perform duties safely.
 - identifying duties that will support improvements in a worker's capacity.
 - identifying options to help reduce work demands (including providing advice on equipment, job or workplace modifications).
 - identifying and addressing risks that may impact a worker's recovery at/return to work outcome.
 - implementing and monitoring a plan to achieve an agreed recovery at work goal.

After an Incident

Providing First Aid

In the event of an injury in the workplace, the injured worker can access first aid via a suitably qualified worker (RN/EN) within the workplace, utilise the first aid kits located within the workplace or seek medical treatment (if required).

Reporting the injury

- Workers must notify the supervisor immediately an injury occurs in the course of their duties entre the event into Riskman as soon as practicable.
- McLean Care will record all injuries in an Accident/Incident database (Riskman).
- McLean Care will notify applicable insurer.
- Refer to Accident/Incident Reporting and Investigation Procedure (WHS-PR-002) for specific procedure for the reporting of accidents, incidents including notifiable incidents.

Support for the Worker

Communication

Understanding the worker and offering them support will positively affect the workers response to their injury and enable successful recovery at work. The Manager and RTW Coordinator will maintain positive and effective communication on a regular basis with the worker. This may be achieved by regular check-ins in the workplace, phone-calls or meetings.

Sharing Personal Information

McLean Care will use the SIRA/WorkCover certificate of capacity signed by the worker as indication that they give their consent to release and exchange relevant personal information about the worker that is necessary to manage the recovery at work and coordinate the workers compensation claim.

Weekly Payments

McLean Care will provide the worker with the relevant weekly payments they are entitled to and will:

- Provide the insurer with a Pre-injury Average Weekly Earnings (PIAWE) report based on information from the payroll system.
- Make weekly payments at the usual time wages are paid.
- Pass other payments onto the worker as soon as practicable after receiving them from the insurer.
- Advise the worker of dispute resolution mechanisms Injury Management Plan.

McLean Care will provide appropriate information to the insurer and assist them to develop an Injury Management Plan that provides suitable duties that are consistent with medical advice and that are meaningful, productive and appropriate for the injured worker's physical and psychological condition that promotes recovery at work.

Recovery at Work

Identification of Suitable Duties

McLean Care will offer injured workers suitable employment, where reasonably practicable, so they have the opportunity to recover at work. The employment may be full or part time hours, and where reasonably practicable, the same or equivalent to the worker's pre-injury employment. This may include the same job with different hours or modified duties, a different job at the same or different workplace, training opportunities or a combination of these. This is referred to as suitable, alternate, modified or light duties.

The identification of suitable duties will happen in consultation with the injured worker RTW coordinator and manager and must be in line with the capacity of the worker as noted on the certificate of capacity issued by the nominated treating doctor.

If there are difficulties in identifying safe, suitable duties than the workplace rehabilitation provider may be utilised to undertake a workplace assessment to accommodate the worker's current capacity.

Recover at Work Plan (RWP)

The RWP is developed in consultation with the injured worker using the information from the certificate of capacity and the identification of alternative duties.

McLean Care will:

- give the worker the opportunity to participate in its development.
- describe the plan in writing.
- talk to the worker about who will receive a copy of the plan and what injury management information should be shared with co-workers.
- provide copies of the plan to the worker doctor and manager.
- provide the worker with written documentation of any changes made to the plan.
- monitor the worker's progress against the plan.
- update the plan when the worker's medical restrictions change or if there is a change in the workplace that impacts the plan.

The RWP is reviewed at regular intervals and the injured worker is consulted at all stages and are asked to comment on their own progress and are advised of any reports on their progress.

Conclusion of Recover at Work Plan

The injury management process will cease when the worker:

- resumes all pre-injury duties.
- returns to full employment in their original position with permanently modified duties which are acceptable to the CEO.
- is appointed to another position.
- withdraws from the program.
- ceases to be employed by McLean Care.

Managing the Dismissal of an Injured Worker

If, after a reasonable period of time, a worker is unable to perform productive work of any kind which is normally available with McLean Care or find alternative work, medical retirement or termination of employment will be considered.

Termination of an injured worker may occur if the worker is unable to demonstrate that they are able to undertake the inherent requirements of their role in the foreseen future. Any action to dismiss an employee on medical grounds will be done so, in accordance with the relevant legislation.

If McLean Care dismisses a worker because of a work-related injury at any stage in the claim the worker may apply to be reinstated. If the employer then replaces the worker within two (2) years of dismissing them, the employer must inform the replacement worker that the dismissed worker may be entitled to be reinstated in the role.

Dispute Prevention and Resolution

McLean Care is committed to working together with the injured worker and their representative to resolve any disagreements about the return-to-work program or suitable duties. If disagreements cannot be resolved, then the involvement of other parties such as the worker's treating doctor, the agent/insurer, an approved workplace rehabilitation provider or an injury management consultant may be required.

McLean Care will:

- seek help from the insurer or an approved workplace rehabilitation provider if the worker's recovery at work is difficult or progress has stalled.
- work with the worker and their representative to resolve any disputes and seek help from the insurer if necessary.
- If there is a dispute, we will provide the worker the insurer's contact details as well as the following useful contacts.

Evaluation	Breaches of Legislation and instances of non-compliance
Associated Documentation	

Relates to	Policies and Procedures – Workplace Health and Safety		
Accreditation Standard	Standard 5. Organisation's service environment		
Act	Work Health and Safety Act 2011 Workers Compensation Act 1987 (the 1987 Act) (NSW) Workplace Injury Management and Workers Compensation Act 1998 (the 1998 Act) (NSW) Workers' Compensation and Rehabilitation Act 2003 (QLD)		
Assistance	NSW Assistance	Phone	Website
	SIRA Customer Service Centre	13 10 50	www.sira.nsw.gov.au
	Independent Review Officer (WIRO)	13 94 76	www.iro.nsw.gov.au
	Icare	13 44 22	www.icare.nsw.gov.au
	QLD Assistance	Phone	Website
	WorkCover QLD	1300 362 128	www.workcoverqld.gov.au

Regulation	Work Health and Safety Regulations 2011 QLD Work Health and Safety Regulations 2017 NSW Workers' Compensation and Rehabilitation Regulation 2014 Workers Compensation Regulation 2016 (the 2016 Regulation) (NSW)
Code of Practice	<ul style="list-style-type: none"> Work health and safety consultation, cooperation, and coordination 2022
References	www.safeworkaustralia.gov.au , www.worksafe.act.gov.au www.worksafe.qld.gov.au , www.safework.nsw.gov.au

Risk Rating	<input type="checkbox"/> High (review due yearly) <input checked="" type="checkbox"/> Low (review due 3 years)
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Revision No	Description of Changes	Author Role	Approved by	Approval Date	Review Due Date
1	Reviewed and updated	WHS Officer		Oct 2022	Oct 2025

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