

NSW Return to Work Program

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Definitions	
CASE MANAGER (CM)	The case manager coordinates all aspects of an employee's claim and is the primary contact for the employee and others in assisting the employee return to and recover at work.
CERTIFICATE OF CAPACITY	Usually completed by the employee's nominated treating doctor, the certificate of capacity is used in the NSW workers compensation system to describe the nature of an employee's injury/illness, their capacity for work, and the treatment required for a safe and durable recovery.
CLAIM SERVICE PROVIDER (CSP)	EML is BaptistCare's selected CSP. EML provides claims management services for icare Workers Insurance. In providing these services, the CSP operates in partnership with icare.
INCAPACITY	An injury, illness or disease which adversely affects an employee's ability to perform their normal or comparable duties.
INDEPENDENT MEDICAL EXAMINER (IME)	An assessment conducted by an appropriately qualified and experienced medical practitioner to help resolve an issue in injury or claims management.
INDEPENDENT REVIEW OFFICE (IRO)	The independent statutory office that manages complaints about the insurer from employees with a work-related injury/illness. IRO also manages the Independent Legal Assistance and Review Service (ILARS).
INJURY	Any injury or illness arising out of, or in the course of employment.
INJURY MANAGEMENT	The process that comprises activities and procedures that are undertaken or established for the purpose of achieving a timely, safe and durable recovery at work for employees following workplace injuries.
INJURY MANAGEMENT CONSULTANT (IMC)	A registered medical practitioner experienced in occupational injury and workplace-based rehabilitation. An IMC is a facilitator who helps the nominated treating doctor, employee, insurer, employer and other service providers to progress an employee's recovery at/return to work and optimise health and return to work outcomes.
INJURY MANAGEMENT PLAN (IM PLAN)	A written plan developed by the insurer in consultation with the employee and other stakeholders, to identify the actions of all parties in helping the employee recover from their injury and recover at/return to work.
INJURY MANAGEMENT PROGRAM (IM PROGRAM)	A coordinated and managed program that integrates all aspects of injury management (including treatment, rehabilitation, retraining, claims management and employment management) for the purpose of achieving optimum results in terms of a timely, safe and durable return to work for injured employees.
INSURER	Refers to the different types of insurers in the NSW workers compensation system - the Workers Compensation Nominal Insurer, self-insurers, specialised insurers and government self-insurers.
NOMINAL INSURER	Refers to the workers compensation Nominal Insurer established under section 154A of the Workers Compensation Act 1987. Insurance and Care NSW (icare) acts for the Nominal Insurer and exercises the functions of the Nominal Insurer as required by the NSW workers compensation legislation.
NOMINATED TREATING DOCTOR (NTD)	The treating doctor nominated by the employee for the purposes of an injury management plan for the employee.

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PERSONAL INJURY COMMISSION (PIC)	The PIC is a single, independent tribunal for injured people claiming against the workers compensation and compulsory third party (CTP) insurance schemes. The PIC replaced the former Workers Compensation Commission (WCC) from 1 March 2021.
POSITIVE WORKPLACE CULTURE	One that prioritises the well-being of employees, offers support at all levels within BaptistCare, and has policies and procedures in place that encourage respect, trust, empathy and support.
RECOVER AT WORK PLAN (RAW PLAN)	A statement of goals and objectives (and services required to achieve them) for an employee undergoing recovery at work. It should clearly outline the employee's capacity for work including hours, supervision requirements, treatment times and review dates.
REHABILITATION	A process of restoring an injured employee to the maximum physical, psychological, social, vocational and economic capacity through a structured RAW Plan including any transitional/suitable or restricted work options consistent with the injured employee's medical capacity.
RETURN TO WORK COORDINATOR (RTWC)	The RTWC manages and oversees the entire injury management process, including medical treatment, return to work planning and liaising with treating practitioners and specialists. At BaptistCare, we refer to our RTWC's as Injury Managers.
RETURN TO WORK PROGRAM (RTW PROGRAM)	A Program established by BaptistCare with respect to policies and procedures for the rehabilitation (and if necessary vocational training) of an injured employee. The RTW Program must be consistent with the injury management program and should comply with the SIRA Guidelines.
SIGNIFICANT INJURY	A workplace injury that is likely to result in the employee being incapacitated for a continuous period of more than 7 days, whether or not any of those days are workdays and whether or not the incapacity is total or partial or a combination of both.
STATE INSURANCE REGULATORY AUTHORITY (SIRA)	Refers to the State organisation constituted under the State Insurance and Care Governance Act. SIRA regulates workers compensation, motor accidents CTP and the home building compensation schemes in NSW.
SUITABLE EMPLOYMENT	Suitable employment in relation to an employee means employment in work for which the worker is suited.
WORKPLACE REHABILITATION PROVIDER (WRP)	Workplace Rehabilitation Providers are organisations approved by The State Insurance Regulatory Authority (SIRA) to offer specialised services to help injured employees to recover at work.

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1. Introduction

BaptistCare NSW & ACT (BaptistCare) is fully committed to ensuring that all employees who experience a work-related injury or illness are provided with the support and resources they need to safely recover and return to work.

This Return to Work Program (RTW Program) applies to all NSW based employees of BaptistCare.

The aim of this RTW Program is to outline BaptistCare’s approach to the management of workplace injury and illness by supporting the injured employee to recover at work. The program strives to restore the injured employee to their fullest physical, psychological and vocational capacity, consistent with their current medical information via the most direct pathway back to employment.

2. Leadership and Commitment

Our Health and Safety Management System *Main Document*, outlines our commitment to workplace health and safety.

The ELT demonstrates its leadership and commitment to the WHSMS by:

- a) *Ensuring there is effective leadership and commitment to WHS in all of our activities and throughout our operations and providing employees with updates on organisational changes*
- b) *Ensuring WHS initiatives are resourced, and the performance will be monitored and managed as part of the management planning processes*
- c) *Ensuring the integration of the WHSMS requirements into our business processes*
- d) *Communicating the importance of effective WHS management and of conforming to the WHSMS requirements throughout the organisation via the established meeting forums, and induction processes*
- e) *Directing and supporting employees to contribute to the effectiveness of our WHSMS during meetings and any other time to their direct supervisor*
- f) *Supporting other relevant management roles to demonstrate their leadership as it applies to their areas of responsibility, and when making decisions on WHS matters*
- g) *Protecting employees from reprisals when reporting incidents, hazards, risks and opportunities*
- h) *Ensuring the establishment and implementation of processes for consultation and participation of workers*
- i) *Supporting the establishment and functioning of a WHS committee, with records of these meetings maintained and retained.*

Our 5 Year Strategy Plan includes a commitment to creating a safer workplace. We will do this by:

- Incurring fewer workplace injuries
- Having a proactive, industry leading health and safety culture

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- Reducing the financial burden by investing in safety initiatives

Our RTW Program is incorporated into our WHSMS as a key component of employee safety and well-being at work. Therefore, our RTW Program is to be read in conjunction with our policies and procedures in the WHSMS which have been prepared and applied in accordance with the NSW Work Health and Safety Act 2011 and the Work Health and Safety Regulation 2017.

Following a workplace incident and/or injury, and as stated above, workplace investigations are required, the details of the investigation are to be recorded and corrective measures are implemented where practicable to prevent re-occurrence. Accordingly, pursuant to our WHSMS the following activities are required:

- An incident investigation into the circumstances of the injury will be completed to determine the cause and develop recommendations on action to prevent similar incidents from recurring
- Any essential corrective actions to the work site and/or practices when required will be made as soon as possible after consultation with employees and management. In doing so, a hierarchy of control will be used with consideration given to firstly elimination then substitution, engineering, and administrative controls. Personal protective equipment (PPE) will only be considered after all other options have been fully explored. We have a Risk Matrix within our WHSMS which is applied
- Injury and illness data will be monitored, and statistical information retained and reported on to enable adverse trends and high-risk areas to be identified. Using this information, minimisation strategies such as additional training or modification to work systems can be developed
- Injured or ill employees are expected to participate and cooperate with us to improve workplace health and safety
- SafeWork NSW will be notified by telephone (13 10 50) immediately after becoming aware that a notifiable incident has occurred.

We have a certified WHSMS (ISO:45001), and performance data is compiled monthly and submitted to the Executive Committee as a performance report. Any issues, trends and gaps are raised via the appropriate channels for review, assessment and delegation of corrective actions, review of policies and procedures and other strategies assigned to the relevant parties in accordance with our WHSMS. Furthermore, the Enterprise Risk Committee reviews WHS and injury management performance on a quarterly basis, and an annual review of our WHSMS is conducted. The policies and procedures within our WHSMS are amended and updated in response to our data and these processes as required.

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BaptistCare is fully committed to ensuring that all employees who experience a work-related injury or illness are provided with the support and resources they need to safely recover and return to work. Our leadership and management team are aligned in upholding this commitment, recognising that it is integral to our organisation structure and operational environment.

We understand the crucial role of core injury management strategies in assisting our employees who've experienced a workplace injury. These key strategies encompass:

- **Developing a positive culture that promotes recovery at work.** We will do this by:
 - **Manager Training:** All managers and supervisors will undergo training to understand the benefits of a speedy and safe return to work for injured employees.
 - **New Employee Awareness:** As part of a welcome pack for new employees, all staff will be provided with guidance on what to do if they are injured at work, including how BaptistCare supports injured workers to recover at work.
 - **Internal Campaigns:** We will attend team meetings to make staff aware of our Return to Work Program, place posters on noticeboards, and distribute short video presentations all aimed at increasing awareness of BaptistCare's commitment to recovery at work.
- **Early intervention.** Early intervention is critical to the recovery process following a workplace injury. A timely return to work not only aids in active healing but is also pivotal for a successful rehabilitation result.
- **Collaboration.** We advocate for teamwork, ensuring that employees play a central role in both their rehabilitation and their return-to-work preparations.
- **Genuine Care** is demonstrated through regular contact with the injured employee, monitoring their progress with recovery, providing support to be engaged at work and at the provision of meaningful duties.

3. Workplace Arrangements

Our appointed Return to Work Coordinators (RTWC) are detailed on the BaptistCare [intranet](#).

Our RTWCs are responsible for the implementation of our RTW Program, supporting employees as they recover at work and assisting us to meet our obligations as required under workers compensation legislation. The RTWC is a key link between the employee and their support team as they recover.

The RTWC has the authority to represent and make decisions for BaptistCare in relation to the functions specified below. The RTWC does not make decisions on claims liability or funding for treatment – this is the insurer's responsibility.

The role of the RTWC is essential in planning and managing an injured employee's recovery at work. Their duties include:

- Compiling the initial notification information

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- Coordinating the worker’s recovery at work, including identifying suitable work opportunities
- Preparing, monitoring and reviewing a recover at work plan (in consultation with key parties) that documents the worker’s capacity and the duties available
- Liaising with external stakeholders, such as the 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 work 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.

3.1 Workplace Rehabilitation Providers

We may enlist the services of an approved Workplace Rehabilitation Provider (WRP). WRP’s help address risk factors which may affect an employee’s ability to recover at work. These factors may include difficulty identifying suitable work, complex injury, delayed recovery or communication breakdown. The WRP will appoint a rehabilitation consultant who will assist the employee and their support team (which may include BaptistCare, their doctor, Insurer and others) to achieve a positive recovery at work. The rehabilitation consultant will be an allied health professional such as an occupational therapist, rehabilitation counsellor, physiotherapist, exercise physiologist or psychologist.

We will consult with key stakeholders in relation to the need for involvement of a WRP.

We have identified the following WRP to be used when required.

Provider	Contact Details
Rehab Management	Phone: 1300 762 989 Website: https://www.rehabmanagement.com.au/
Actevate	Phone: 1300 663 155 Website: https://www.actevate.com.au
Ergosmart Consulting	Phone: 1300 522 090 Website: https://ergosmart.com.au/

The WRP will:

- Be familiar with our policy and procedures, worksites and suitable employment options.
- Identify barriers to the injured employee’s recovery at work and develop strategies to address these barriers.

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- Identify and design suitable employment for the employee to assist us in meeting our obligations in providing suitable employment.
- Identify and coordinate rehabilitation strategies to ensure the injured employee can safely perform their duties without risk or further aggravation to their injury.
- Arrange appropriate re-training and placement in alternative employment when the injured employee is unable to return to normal duties.
- Communicate with relevant parties throughout service provision to ensure progress towards the recover at work goal.

We acknowledge that the injured employee has the right to choose their own provider. We are committed to working with all service providers to facilitate a durable recovery at work outcome for all injured employees. This includes ensuring the provider understands the unique needs and arrangements of our workplace and securing reasonable access to employees and their workplace.

When an injured employee wishes to change their provider, they should contact their Case Manager (CM) to discuss the reasons.

After being engaged by the Insurer, the WRP will contact the employee and BaptistCare to discuss their needs and arrange suitable times to meet.

3.2 Consultation

We will set out the following systematic approach for best practice consultation with employees and any union that represents them. To ensure that all employees are able to participate equally, additional support can be arranged to accommodate the needs of employees.

Stage 1 - Provide information to employees about:

- What is being considered
- The process for consideration
- How a final decision will be made and who will be involved in making the decision.

Stage 2 - Consult by:

- Communicating business needs and priorities through health and safety committee meetings, team meetings, newsletters, emails or intranet site.
- Seek views and opinions from affected employees, either individually or through their union representatives to encourage a two-way flow of information.

Stage 3 - Review and implementation:

- Consider information and ideas obtained and assess against business requirements
- Record any decisions made and the reasons why
- Communicate decision and reasons why back to employees and representatives

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- Implement change
- Invite feedback on the process to improve the next consultation process.

Consultation will be conducted whenever this program is reviewed or changed, and at a minimum every two years.

3.3 RTW Program Training

Upon commencing employment BaptistCare employees will undergo a comprehensive induction program. As part of an employee’s induction to BaptistCare, training will be provided on the RTW Program. This will include what to do if in the event of a workplace injury, how BaptistCare supports rehabilitation and recover at work, as well as an injured employee’s rights and obligations.

All managers and supervisors will undergo training to understand their role and the benefits of a speedy and safe return to work for injured employees.

3.4 Monitoring, Review and Display Arrangements

Our RTW Program is displayed on the WHS Notice Board at each site and is also made available to all employees via the BaptistCare [intranet](#).

We commit to reviewing the RTW Program at a minimum of every two years or earlier as required and in consultation with employees and any union representing them – consultation will occur through the previously described channels (refer to Section 3.2, Consultation).

Formal reviews will be conducted by the BaptistCare Policy Review Committee, which contains representatives from operational divisions and business streams across the organisation.

We will monitor the effectiveness of the RTW Program via formal and informal mechanisms. Formal monitoring will occur through a voluntary survey, provided to injured workers upon finalisation of their claim – the survey will seek feedback on the employee’s experience. Informal monitoring of the effectiveness of the RTW Program will occur through ongoing discussions with employees as part of their rehabilitation and recovery at work.

4. Rights and Obligations

The rights and obligations of all stakeholders are outlined in this RTW Program and are provided to employees as part of the induction process and other internal communications.

Upon receipt of a claim, the RTWC and CM will confirm these rights and obligations as part of the initial contact. As part of these discussions, we will let employees know what we will do to assist in their recovery at work and discuss reasonable expectations around the level of their involvement and cooperation throughout the recover at work and injury management process.

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Furthermore, employee rights and obligations will be confirmed in all Recover at Work Plans (RAW Plan) and where issued, Injury Management Plans (IM Plan).

4.1 Employee Rights and Obligations

The employee’s primary role is to focus on recovery and aim to stay at work in some capacity, or return to work as soon as possible. The employee must find a doctor to act as their nominated treating doctor (NTD). This is often the employee’s usual general practitioner.

Employees are obliged to:

- Notify their Supervisor as soon as possible after a work-related injury occurs
- Participate and cooperate in establishing an IM Plan
- Carry out the actions such a plan requires of them
- Authorise their NTD to provide relevant information to the Insurer or BaptistCare using the certificate of capacity, claim form or other form of authority;
- Make all reasonable efforts to recover at work.

Employees have the right to:

- Nominate their own treating doctor
- Employment that is both suitable and, so far as reasonably practicable, the same or equivalent to their pre-injury employment
- Be consulted and involved in identifying suitable work and developing their RAW Plan
- Privacy and confidentiality
- Access mechanisms for resolving complaints and disputes.

4.2 BaptistCare’s Senior Management Responsibilities and Obligations

Senior management holds overarching responsibilities and obligations in the establishment, implementation, and success of our RTW Program. The responsibilities and obligations of senior management include:

- Ensure the health, safety and welfare at work of all employees
- Have workers compensation insurance
- Display a summary of the act that details how an employee notifies an injury and how they may make a claim. We will do this by displaying the ‘If you get Injured at Work’ poster
- Develop and implement a compliant RTW Program that aligns with our legal and organisation objectives, and consult with our employees and relevant unions at least every two years
- Determine the long-term strategy of the RTW Program, ensuring it aligns with our organisational goals and health and safety policies
- Establish key performance indicators to evaluate the effectiveness of the RTW Program
- Review and assess the effectiveness of the RTW Program, including compliance with policies and success in achieving set objectives

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- Update and refine the RTW Program based on performance metrics, feedback, and changes in legislation or company needs
- Lead by example to instil a culture that values employee well-being and views return to work as a normal process following workplace injury or illness
- Foster an organisational culture that is supportive and non-discriminatory towards employees who are returning to work after injury or illness
- Notify employees of our documented RTW Program which describes the steps we will take if an employee is injured
- Maintain a record of work-related injuries
- Not dismiss an employee because of a work related injury within six months from when the employee first became unfit as a result of the injury
- Ensure education and the promotion of the RTW Program to all employees, including informing employees of their rights and obligations
- Make available our RTW Program to all employees via noticeboards and the intranet
- Ensure an approved WRP is nominated
- Appoint suitably qualified RTWC's with the necessary qualifications, authority and resources to negotiate, develop and implement recover at work policies and procedures
- Ensure processes are in place for the immediate notification to SafeWork NSW (on 13 10 50) if an incident involves a death, serious injury or illness or is a dangerous incident that requires notification in accordance with state legislation.

4.3 BaptistCare's Management Responsibilities and Obligations

Our managers play a critical role in the successful implementation and ongoing efficacy of our RTW Program. The responsibilities and obligations of managers includes:

- Ensure that all employees have undergone required training and have access to our RTW Program
- Ensure injured employees are aware of both the Manager's and employee's role in the recover at work process
- Participate in the creation and implementation of RAW Plans for injured employees
- Ensure necessary workplace adjustments are made to accommodate injured employees as specified in the RAW Plan
- Regularly check in with injured employees to monitor their progress, well-being and discuss any potential issues
- Ensure that all workplace incidents are reported in Fortify promptly and accurately (within 48 hours)
- Continuously assess the effectiveness of the return to work process and identify areas for improvement
- Provide regular updates and recommendations to senior management regarding the status and effectiveness of the RTW Program
- Foster a positive, non-discriminatory work environment where injured employees feel supported and valued

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- Address any conflicts or challenges that arise during the return to work process, whether they are between the injured employee and colleagues or other stakeholders
- Provide suitable work (as far as reasonably practicable) when an employee is able to return to work, either on a full-time or part-time basis dependent on work capacity
- Provide suitable work that is (as far as reasonably practicable) the same as or equivalent to the work being performed at the time of injury
- Provide an employee with a Workers Compensation claim form, if requested.

4.4 Return to Work Coordinator Responsibilities and Obligations

Our RTWC's have the authority to represent and make decisions for BaptistCare in relation to the functions specified below. The RTWC does not make decisions on claims liability or funding for treatment – this is the insurer's responsibility.

- Compiling the initial notification information and reporting to the insurer within 48 hours
- Coordinating the employee's recovery at work, including identifying suitable work opportunities together with the Supervisor and injured employee
- Preparing, monitoring and reviewing a RAW Plan (in consultation with key parties) that documents the employee's capacity and the duties to be undertaken
- Liaising with key stakeholders, such as the NTD, CM, treatment providers, union representative and WRP
- Implementing the RTW Program
- Supporting the redeployment of employees (internally or externally) into suitable work 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
- Contributing to the improvement of relevant policies and systems
- Ensure that any injured employee is aware of what information needs to be shared with external parties and that a signed authority has been given by the injured employee before obtaining or releasing any information about the employee's injury to these external parties
- Refer the injured worker to a WRP as needed
- Be the key point of contact point for all matters relating to the injured employee
- Set strategy, coordinate and monitor the injured employees progress in treatment, rehabilitation and recovery at work
- Ensure that the workplace management and direct supervisors are aware of the injured employee's current capacity for work and any restrictions that are applicable

4.5 Insurer Responsibilities and Obligations

The insurer provides guidance and support to injured employees to achieve the goal of returning to work. The Insurer will:

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- Develop the Injury Management Program (IM Program) with information about how claims will be managed
- Make early contact with the injured employee and (where necessary) the NTD within three working days of being notified of a workplace injury
- Assess for risk of delayed recovery and return to work
- Develop an IM Plan within 20 business days from the date at which an injury is likely to be considered as 'significant'. An injury is considered significant if it is likely to result in an employee being incapacitated for work for more than seven days, whether the incapacity is total, partial, or a combination of both.
- Ensure all aspects of injury management (treatment, rehabilitation claims management, employer practices and return to work) are coordinated and integrated to optimise outcomes
- Organise support and assistance from third-party service providers in consultation with the injured employee and NTD
- Provide information to all stakeholders regarding their obligations
- Provide help to facilitate recovery at work and to support the injured employee in finding work that they can do safely
- Share and store medical and health information in line with the Health Records and Information Privacy Act 2002 and the Privacy and Personal Information Protection Act 1998.

4.6 Nominated Treating Doctor Responsibilities and Obligations

The NTD is a doctor nominated by the injured employee who is prepared to assist with the development, implementation and review of both the IM Plan and RAW Plan. The NTD is responsible for:

- Completing certificates of capacity
- Arranging appropriate treatment
- Certifying fitness for work
- Advising on the suitable work options for recovery at work and specifying any work restrictions
- Assist in the development, implementation and review of the IM Plan and/or RAW Plan for injured employees
- Coordinate with other medical specialists or allied health professionals involved in the care of the injured employee, such as physiotherapists or occupational therapists
- Advocate for the best interests of the injured employee throughout the return to work process, ensuring that their medical and psychological needs are adequately addressed
- Recognize and address any psychological barriers to return to work, such as fear of re-injury or workplace stigma, and provide appropriate referrals for psychological support if needed
- Participating in any case conferences arranged by the insurer, as necessary.

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4.7 Workplace Rehabilitation Providers Responsibilities and Obligations

A WRP can assist by resolving problems associated with the recovery at work process. They play a lead role in educating and promoting safe and early recovery at work for our employees. The WRP is responsible for:

- Proactively contributing to the successful management of an employee’s recovery at work by positively influencing a supportive employment experience for the employee after an injury
- Contacting the injured employee within 24 hours following a referral from the CM
- Maintaining regular contact with the injured employee, RTWC and other key stakeholders until the agreed goal is achieved
- Ensuring a current and signed RAW Plan is maintained at all times, in partnership with the RTWC
- Participating in case conferences with the NTD, with the employee’s consent, to drive positive treatment and durable recovery at work outcomes.

The CM will consult with key stakeholders to identify and arrange referral to an approved WRP.

4.8 Unions Representing Workers Responsibilities and Obligations

An employee may elect to receive support from a union representative following a workplace incident. The union representative is responsible for:

- Proactively contributing to the successful management of an employee’s recovery at work by participating in the development and review of both the RAW Plan and IM Plan (where required)
- Educating members about their rights and obligations under workers’ compensation legislation and this RTW Program
- Offer guidance on navigating the RTW Program, including filling out forms, submitting claims and understanding medical assessments
- Liaising with external stakeholders, such as the NTD, insurer, treatment providers and WRP Participating in consultation activities with regards to this RTW Program
- Maintaining the privacy and confidentiality of employee’s personal, health and injury management information at all times
- Working with BaptistCare to ensure that workplace safety standards are maintained to minimise risk of further injuries.

5. After an Incident

5.1 First Aid Arrangements

We recognise that the quality and speed of first aid treatment is important in minimising the severity of an injury or illness.

Immediately following an injury:

- Injured employee notifies their Manager/Supervisor
- Injured employee seeks first aid and/or medical treatment if required

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Employees can access our First Aid Procedure via the WHS page on the BaptistCare [intranet](#).

To further support employees who have had a workplace injury, we partner with PriorityCare, a specialist provider of workplace medical services. Through PriorityCare, all BaptistCare employees who have been injured at work have access to a Work Injury Hotline.

The Work Injury Hotline is available 24 hours a day, 7 days a week, 365 days a year. Upon calling the Work Injury Hotline, injured employees speak with a dedicated consultant who will triage their circumstance, and provide initial support, which may include first-aid advice, or a referral to a medical practitioner. The PriorityCare consultant will work together with the injured employee, the RTWC, and treatment providers to ensure the most appropriate level of care is made available within a prompt timeframe. This is a voluntary service, and is made available to employees who wish to utilise it – while employees are obliged to report incidents within the required timeframe, they are under no obligation to contact the work injury hotline following a workplace injury, and can contact their preferred doctor to arrange a consultation if they wish.

5.2 Register of Injuries and Reporting an Injury

We will keep a register of injuries detailing all work-related injuries and illnesses, whether or not they result in a workers compensation claim in our incident management system, Fortify. All employees will receive training on Fortify and how incidents and injuries are to be reported as part of their induction to BaptistCare. Further training on how to access Fortify is available on the BaptistCare intranet through the [My Learning](#) application. We will also keep a record of each notifiable incident.

All incidents must be entered into Fortify within 48 hours of occurrence. This will ensure the relevant persons below are appropriately notified depending on the event classification:

The register of injuries will include the following:

- The name of the injured employee
- The employee’s address
- The employee’s age at the time of injury
- The employee’s occupation at the time of injury
- The industry in which the employee was engaged at the time of injury
- The time and date of the injury
- The nature of the injury
- The cause of the injury

The RTWC will notified of an injury through an email alert, configured within Fortify. The RTWC will then contact the injured employee, obtain information on their injury/illness and

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the circumstances that led to the injury/illness. The RTWC will advise on next steps and commence the notification process for the employee no later than 48 hours after becoming aware. This will include reporting the injury to the insurer.

An employee can notify the insurer directly following an injury if that is their preference.

Claims Service Provider: EML
 Call: 133 365
 Email: emlnewclaims@workerscomp.nsw.gov.au

Workers are advised of their obligation to notify their Supervisor as soon as a work-related injury occurs during induction training, via posters displayed on noticeboards, as well as at team meetings.

5.3 Notifiable Incidents

A notifiable incident is:

- The death of a person
- A serious injury or illness, or
- A dangerous incident

And is defined under Part 3 of the Work Health and Safety Act 2011.

Notifiable incidents are required to be reported immediately to SafeWork NSW on 13 10 50 by the respective Health and Safety Business Partner.

6. Support for the Worker

6.1 Communication

Effective communication is foundational for developing a positive culture that promotes recovery at work. Open, transparent, and empathetic dialogue can create a supportive environment that helps injured employees feel more comfortable during their transition back to work.

We are committed to developing a positive culture which promotes recovery at work. When communicating with injured employees, the RTWC will:

- Focus on helping the employee to recover at work as safely as possible
- Encourage the employee’s Supervisor/Manager to keep in touch via phone, email, visit or text
- Address and attempt to resolve outstanding issues that may be a barrier to returning to work. This may include conflict with a co-worker or transport difficulties
- Discuss how the wider BaptistCare team will help their recovery at work including reasonable expectations around the level of their involvement throughout the recover at work process

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- Maintain regular communication with the injured employee and stakeholders involved in managing the claim and recovery at work
- Collaborate to identify suitable work options with all stakeholders
- Liaise with the employee (and any union representing them) and their manager for return to work planning and implementation, and this will also extend to treating practitioners as required
- Encourage the employee’s supervisor to check in regularly with the worker throughout each RAW Plan and be actively involved in their recovery.

6.2 Consent

Consent promotes good communication and transparent decision-making between the injured employee, the RTWC and BaptistCare.

Good communication can hasten recovery, reduce emotional distress, and improve long-term outcomes.

An employee’s personal health information will only be disclosed after careful consideration of applicable privacy principles, including whether the worker has consented to the disclosure.

Personal information is any information that can identify an individual.

Health information includes any information about an employee’s physical or mental health or disability, or the provision of other health services.

Injury management information includes any information that involves the treatment, rehabilitation, retraining, claims management and employment management practices that are directed to assisting an injured employee to recover at work. It includes:

- File notes, letters, faxes and IM Plans completed by the RTWC
- NTD assessments and reports
- Documents such as RAW Plans, progress reports and invoices
- Injury Management Consultant reports.

Our [Privacy Policy](#) provides full details of what, why and how personal information may be collected and used.

The RTWC will inform the injured employee of how their personal and health information will be used prior to providing their consent including what information may be collected, stored, used and disclosed and their rights to withdraw and modify their consent.

To ensure the informed consent of the injured employee and that all parties involved in the injury management process are included, written consent is obtained using the BaptistCare Employee Authorisation Letter form.

If the employee does not wish to provide consent, the RTWC will raise the matter with the CM and attempt to educate the employee on the benefits of information exchange and their

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associated rights, obligations and potential implications for recovery at work when consent is not given.

6.3 Entitlements and Weekly Benefits

Injured employees are entitled to weekly payments when a work related injury has resulted in a loss of earnings due to a reduced capacity for work.

The CM will obtain the injured employees payroll information directly from the RTWC to calculate the weekly payment amounts.

Weekly payments are calculated based on an employee's confirmed pre-injury average weekly earnings (PIAWE). PIAWE is calculated based on the average of an employee's gross earnings over the 52 weeks prior to their date of injury.

Once the CM receives an initial notification of injury, they will:

- Commence provisional payments within seven calendar days unless there is a reasonable excuse not to, or
- Delay starting provisional weekly payments by issuing a reasonable excuse within seven days, or
- Determine liability
- Ensure weekly payments are prompt and correct
- Calculate PIAWE from the information provided by the RTWC
- So far as reasonably practicable, commence payments at the usual times the injured employee's wages are paid
- Ensure the injured employee is reimbursed for any out of pocket medical expenses incurred as soon as practicable following receipt of supporting documentation and after provisional liability has been determined
- Advise injured employees of their calculated PIAWE and weekly payment amounts and any dispute resolution mechanisms

6.4 Injury Management Plans

We are committed to participating and cooperating in the development of an IM Plan.

Once a significant injury becomes apparent, the RTWC will work with the CM and WRP (if applicable) as well as consult with the injured employee (and any Union that represents them) and their NTD to develop an IM Plan. The CM will develop the IM Plan, including an offer of suitable work.

Defined in section 42 of the Workplace Injury Management and Workers Compensation Act 1998 to mean a workplace injury where the worker will have an incapacity for work (whether total or partial) for a continuous period of more than seven days.

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7. Recovery at Work

Recovery at work after injury is an important part of an injured employee’s rehabilitation. Staying active after an injury helps injured employee’s return to their usual activities at home and at work sooner.

7.1 Identifying and Providing Suitable Work

We are committed to offering workers suitable work, where reasonably practicable, so injured employees have the opportunity to recover at work. The employment may be either full time or part time and, where reasonably practicable, the same as or equivalent to the injured employee’s pre-injury employment.

When identifying suitable work options for the injured employee, the goal of returning the employee to the same job as at the time of injury is preferable. Sometimes, due to the nature of the injury or other circumstances this is not possible. In these situations, the goal reflecting the most direct path back to work is recommended.

Suitable work options may include the same job with different hours or modified duties, a different job at the same or a different workplace/client, training opportunities, SIRA funded programs or a combination of these. This is also referred to as suitable, alternate, modified or light duties.

We will provide suitable employment where reasonably practicable, even when a claim is in dispute.

When the injured employee has capacity to recover at work, an individual RAW Plan will be developed by the RTWC (in consultation with the NTD, worker and Supervisor), offering suitable employment.

In determining suitable work options, regard shall be given to:

- Physical demands
- Psychological, cognitive and social demands
- Work environment
- Risk management
- Training/education
- Psychosocial factors

The RTWC will work closely with the injured employee (and any industrial union that represents them), to support a safe and durable return to pre-injury employment in a timely manner.

If we have difficulty identifying suitable work options to accommodate the injured employee’s capacity, the CM can arrange a workplace assessment.

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A workplace assessment involves an approved WRP assessing the injured employee as they perform a range of duties and determining their capacity to perform the duties safely.

The findings of the workplace assessment will be discussed with the injured employee, NTD and the RTWC to help develop an appropriate RAW Plan.

SIRA funds a number of programs designed to assist injured employees return to employment by gaining current workplace experience in line with their rehabilitation goals, and offer new employers incentives to employ an individual with a work related injury.

Further information on SIRA funded programs is available on SIRA’s website.

7.2 Developing a Recover at Work Plan

Tailored planning is essential to a successful work outcome for both the injured employee and BaptistCare. This involves developing and maintaining a RAW Plan.

The RAW Plan is intended to focus on what the injured employee can do rather than what they cannot. The RAW Plan will be developed in consultation with the injured employee, NTD and their Supervisor.

When developing a RAW Plan we will:

- Give the injured employee the opportunity to participate in its development
- Describe the plan in writing
- Discuss with the injured employee 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 injured employee, NTD and any other relevant stakeholders
- Provide the injured employee with written documentation of any changes made to the plan.

A copy of the RAW Plan will be kept on file with copies provided to the injured employee’s Supervisor and the CM.

The RAW Plan will contain the following information:

- The recover at work goal
- The injured employee’s diagnosis, capacity and restrictions
- Treatment and/or rehabilitation arrangements
- Available duties and hours to be worked
- Supervisory arrangements
- Review date
- Contact details of the support team within the plan

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- Agreement
- Supplementary information such as:
 - The roles and responsibilities of people involved in the process such as supervisors, managers, the RTWC and co-workers
 - The process for handling concerns or disputes
 - The process for disclosing information
 - Any additional support that helps ensure a successful recovery at work.

BaptistCare acknowledges that disagreement may arise with respect to recovery at work processes, and/or what is documented within the RAW Plan. Successful injury management in the workplace requires co-operation between all parties. Conflicts and disputes should be resolved as quickly as possible in order to ensure continued effective injury management. BaptistCare is committed to making all efforts to resolve disputes and effectively manage conflicts whenever they arise.

Where a dispute results from a recovery at work situation, BaptistCare will make an effort to resolve any disagreement immediately and efficiently in order to ensure the injured employee continues to receive the appropriate injury management.

BaptistCare’s dispute process will involve discussions and negotiation between the key stakeholders who may include:

- Injured employee
- Health & Safety Team
- RTWC
- NTD
- CM
- Union representatives
- Independent representatives
- Injured employee’s Supervisor

Where required an approved WRP or Injury Management Consultant (IMC) may be utilised to assist in resolving disagreements.

7.3 Monitoring and Upgrading the Recover at Work Plan

As the injured employee recovers, their capacity for duties at work will increase, requiring updates to the RAW Plan. We can gradually upgrade the plan by:

- Increasing the hours of work
- Reducing the number or length of rest breaks

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- Reducing assistance to the injured employee to complete tasks
- Requiring the injured employee to perform more work in the same time period (increasing work pace)
- Introducing new duties that allow increased physical or functional demand.

Each version of the plan will describe the gradual updates to the injured employee’s duties and reflect their current capacity. This plan must reflect all changes, even minor ones.

When updating the RAW Plan, we will continue to consult with the injured employee, seeking their agreement.

We will provide copies of all updated RAW Plans to the injured employee, NTD and any other relevant stakeholders.

7.4 Maximum Medical Improvement

After an injury occurs, continual monitoring of recovery is required until such a time as it is deemed the injured employee has reached maximum medical improvement. In some rare instances, it may be deemed by the injured employee, NTD and/or the RTWC that a return to pre-injury duties is not safe and/or durable.

In some cases, injured employees may need to be supported through re-deployment internally or externally. Considerations may include:

- The size of the injured employee’s current workplace
- Whether permanent accommodation of the injured employee’s fitness for work places unsafe additional work onto other employees in the workplace
- Whether reasonable work adjustments can be sustained by the injured employee and BaptistCare long term.

The CM will assist in appointing a WRP to determine vocational goals.

7.5 Support During Job Seeking

During the process of assisting the worker to obtain suitable employment, the following assistance will be provided (as required):

- Vocational assessment. This will enable identification of appropriate job opportunities, available transferable skills held by the injured employee, interests and preferences of the injured employee, in order to assist in successful job seeking
- Functional capacity evaluation to accurately determine the type or nature of work that is safe and durable to consider during the job seeking process
- Provision by the WRP of the following support:
 - Education and training in interview skills
 - Assistance in developing a resume
 - Assistance in completing application forms including online applications

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- SIRA funded programs

During this job seeking process the injured employee must not unreasonably decline an offer of suitable employment. Weekly benefit payments may be suspended if an injured employee has not made reasonable attempts to return to work.

7.6 Dismissal of Injured Workers

There are protections in place for injured employee's against dismissal because of a work related injury or illness within six months (or the length of any accident pay in the worker's award or agreement) after the injured employee first becomes unfit for employment.

If an injured employee is dismissed because of a work related injury at any stage in the claim, the injured employee may apply to us to be reinstated. If we replace the injured employee within two years of dismissing them, we must inform the replacement employee that the dismissed employee may be entitled to be reinstated to the role.

The above process is in line with sections 241(1), 247 and 248 of the NSW Workers Compensation Act 1987.

In the event that we are required to dismiss an injured employee after our obligations have expired, this will be in line with relevant BaptistCare Policies and Procedures.

Additional vocational and retraining support will be made available to injured employees to assist in successful redeployment. The CM may enlist the services of a WRP to support injured employees in vocational support programs.

8. Dispute Prevention and Resolution

Workplace grievances may be raised and managed in accordance with the BaptistCare [Grievance Policy and Procedure](#).

We do reasonably expect that most disputes, or potential disputes can be resolved by either a case conference, a mediated discussion between the parties or by agreeing to engage any of the relevant services as set out below.

Our approach is to seek a measured outcome at all times and to approach each matter on its merits and in good faith as a participant in alternate dispute resolution, conciliation and arbitrations.

8.1 Prevention of Disputes

To prevent disputes around injury management and return to work, we are committed to working collaboratively with our injured employees and the relevant stakeholders within the claims process for the purposes of early intervention and recovery at work, as far as is reasonably practicable. This collaborative approach will commonly include monitoring and discussion with an injured employee from the onset of injury through to claims finalisation.

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BaptistCare stakeholders will receive training (injury management training is provided to managers and supervisors) on how to manage the return to work processes with a best practice approach that incorporates early reporting, timely support, genuine care and consistency.

8.2 Resolution of Disputes

In the event there is a disagreement or dispute about any aspect of the recovery at work process or a case management issue, the RTWC, injured employee (or their representative), service provider or the workplace manager can seek advice and support from a range of parties including;

- BaptistCare HR Business Partner.
- BaptistCare HR Assist (online or by phone).
- The CM
- BaptistCare Injury Management Lead.
- BaptistCare Head of Workplace Safety and Wellbeing.
- BaptistCare General Manager – People and Culture
- Union representatives.
- An Injury Management Consultant.
- An accredited Workplace Rehabilitation Provider.
- A Solicitor or legal provider.

Where the above channels have not resolved the dispute, employees can contact one of the services listed below to resolve disputes relating to their workers compensation claim.

We encourage employees to speak with their CM to obtain information on the appropriate escalation channel.

Service	Dispute Type	Contact Details
Independent Review Office (IRO)	For complaints from an employee about the insurer.	Phone: 139 476 Web: iro.nsw.gov.au
Personal Injury Commission (PIC)	For disputes between an employee and workplaces, employers and insurers.	Phone: 1300 368 040 Web: pi.nsw.gov.au
State Insurance Regulatory Authority (SIRA)	For complaints from an employee about their employer or provider.	Phone: 13 10 50 Web: sira.nsw.gov.au

9. Administration

The BaptistCare [Privacy Policy](#) applies to all information collected during the process of an injured employee's recovery at work. Consent and information regarding BaptistCare's privacy requirements and obligations are applicable to all exchanges of information within and outside of the organisation.

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Our commitment is to ensure the privacy of the employee is safeguarded at every stage of the recovery at work process, in accordance with the Workplace Injury Management and Workers Compensation Act 1998 (section 243), Privacy Act 1988 (Cth), Australian Privacy Principles, Health Records and Information Privacy Act 2002 (NSW), and Privacy and Personal Information Protection Act 1998.

Employees are provided with information about privacy and access to records as part of the consent process and when engaging with service providers.

Case files and materials related to workers compensation, injury management, and recovery at work are digitally stored and access is controlled through Elumina (our injury management system) and a secure server.

Requests for information should be directed to the BaptistCare Injury Management team. If any issues or individual matters cannot be resolved or determined by the Injury Management team, they should be referred to BaptistCare HR Services.

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Appendix

Employee Authority to Release Medical Information

EMPLOYEE DETAILS

CLAIM NUMBER	
GIVEN NAME(S)	
SURNAME	
ADDRESS	

EMPLOYER DETAILS

ORGANISATION	
CONTACT NAME	
POSITION	
PHONE	
EMAIL	
EMPLOYER ADDRESS	

EMPLOYEE'S DECLARATION

I have discussed this consent form with my employer / insurer representative.

I understand BaptistCare and their Agent (EML) may collect, disclose or share my personal and health information from various sources for the purposes of processing, assessing and managing my claim. I understand that any personal information (including health information) collected will be kept in a confidential case file, with access restricted to those who are directly responsible for coordinating and monitoring my recovery at work and for the management of my workers compensation claim.

I understand my employer and their Agent will:

- Only collect personal and health information that is relevant and necessary to manage my recovery at work and facilitate the workers compensation claim
- Only use and disclose information for the purpose for which it was collected
- Keep any information collected separate from my other personnel records
- Take reasonable steps to protect my information by ensuring it is stored securely, kept no longer than necessary and disposed of appropriately
- Allow me to access my information without unreasonable delay, unless providing access would be unlawful or pose a serious threat to another person's life or health.

I understand that:

- My consent is voluntary and I may change or withdraw this consent at any time by notifying my employer. Cancelling or amending the authority might affect my entitlements to compensation under my claim

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- I may change my nominated treating doctor at any time, subject to the obligations set out in my Injury Management Plan
- My Injury Management and/or Workers Compensation benefits may be impacted if I do not agree to the release of medical information; and
- Information may be released to a third party as required by law or in the litigation of a claim.

I am aware of my rights and obligations as outlined in the BaptistCare *NSW Return to Work Program*.

Considering the above, I authorise and consent to any person who provides a medical or hospital service to me in connection with my injury and/or workers compensation claim to provide upon request from the BaptistCare Return to Work Coordinator and/or BaptistCare's Agent any information relevant to my claim. I understand my authority and consent has effect for the duration of my workers compensation claim. I authorise and consent to the collection, use and disclosure of my personal and health information in connection with my recovery at work and workers compensation claim.

EMPLOYEE

SIGNATURE	
DATE	

EMPLOYER REPRESENTATIVE

SIGNATURE	
DATE	

INTERPRETER

SIGNATURE	
NAME	
DATE	

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References

[NSW Workers Compensation Act 1987](#)

[Workplace Injury Management and Workers Compensation Act 1998](#)

[Health Records and Information Privacy Act 2002](#)

[Privacy and Personal Information Protection Act 1998](#)

[Work Health and Safety Act 2011](#)

[SIRA Funded Programs to Support Recovery at Work](#)

[Australian Privacy Principles](#)

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