

## **Employer's Return to Work Program NSW**

Return to Work Program NSW  
Owner: Group Risk Manager  
Version: May 2022

## **Leadership & Commitment**

Healius is committed to reducing the human impact and financial cost of workplace injury by:

- Implementing robust health and safety systems to minimize the risk of workplace injury, and
- Acknowledging the importance of workplace-based return to work programs, in cases where a workplace injury does occur

To support this commitment, Healius will facilitate opportunities for injured workers to resume either pre-injury duties or suitable duties, that are consistent with medical constraints imposed by nominated treating doctor/s, as soon as you are medically able. We will minimise disruption to regular duties and pattern of work by:

- Contacting the injured worker, relevant medical practitioner/s and workplace supervisor as soon as possible after the illness/injury occurs. This will help the RTW Coordinator provide you with assistance to recover at work if suitable.
- Consulting with all relevant stakeholders to optimise the effectiveness of return to work. Ensuring active participation of the injured worker in the the implementation of the Recover at Work Plan, this is paramount to a successful recovery at work.
- Facilitating with site management and colleagues, the safe and sustainable return to work of injured workers having regard to their capacity to work
- Ensuring modification of equipment and work practices, where feasible, to assist an early return to work.
- Ensuring the rights, welfare, and privacy of injured workers will not be prejudiced as a result of workplace injury and participation in a return to work program.

The roles and responsibilities of the major stakeholders, Supervisor, RTW Coordinator, strengthens this approach with the objective being to ensure that injured workers receive optimal support so that they can recover at work and receive early and effective medical treatment to assist with the recovery.

The Healius Return to Work Program is part of the Healius WHS Management System.

Healius is committed to helping you recover at work, and this is the consistent message provided to all staff who are injured at work and to treating medical practitioners supporting your return to work. Our communication with you will be either verbal or written and you will be kept informed of all discussions throughout the injury. We believe that this will create a positive culture around the importance of recovering at work with you performing duties which are consistent with the medical restrictions imposed by your nominated treating doctor and with the support of your supervisor and RTW Coordinator. It is important to us that you are involved in your recovery at work as it is important to us that you make a full recovery from your injury.

The benefits of workplace based rehabilitation/return to work are well publicised and include:

### **For the Injured Worker:**

- Faster recovery and reduced suffering
- Minimal disruption to family, social and working life
- Improved physical condition, confidence and self-esteem regarding return to work
- Earlier return to productive work
- Job and financial satisfaction

**For Healius:**

- Less down-time and lost productivity
- Reduced absenteeism and shortage of skilled workers
- Reduced training costs and use of casual staff
- Reduced claims costs
- Improved industrial relations and workplace morale

**Workplace Arrangements**

The NSW Return To Work (RTW) Coordinator details can be found on the Healius Intranet “Prime” under Workers Compensation – Contacts for Workers Compensation under New South Wales and ACT.

This list is updated when changes to staff occur. Currently the Return to Work Coordinator’s details are below:

Lauren Kalogiannis – Email: [Lauren.Kalogiannis@healius.com.au](mailto:Lauren.Kalogiannis@healius.com.au) – Contact: 0478 880 771

The NSW RTW Coordinators role in recovery at work planning and managing workers with work related injury or illness within the Healius business is as follows:

- Actively manage QPulse Incident Reports , contacting relevant individuals within 24 hours to assess your situation, provide assistance and advice.
- Developing a Recovery At Work Plan (RAWP) for an injured worker, when there is capacity to perform duties. This may not be your pre-injury duties.
- The RTW Coordinator will consider suitable alternate duties, as part of Healius’ commitment to an early and sustainable recovery at work. The RTW Coordinator will manage this process with the injured worker, nominated treating doctor, and workplace supervisor.
- If you an injured worker is unable to perform your pre-injury duties, Healius will offer retraining in a new area and/or assist you in finding new employment.
- All decisions regarding the type of work injured workers will be asked to perform will be discussed with the worker, and nominated treating doctor to ensure the work is suitable and reasonably practicable.
- Regularly communicate with the injured worker, treating doctor, Insurer, and other treatment providers, where necessary, union, and external workplace rehabilitation providers
- Will, in conjunction with WHS Group, keep injury and recover at work statistics for ongoing review and improvements in our WHS Management System.
- Will keep case notes on your recovery at work and these notes will be confidential in line with the laws and guidelines applicable. The RTW information may be shared with the Insurer if required.
- Will contribute to the improvement of relevant policies and systems in place for the business to ensure that we are continuously improving our policies and programs to benefit injured staff.

**Approved Rehabilitation Providers**

If required, an Approved Workplace Rehabilitation Provider may be appointed to facilitate a workers return to work. These are organisations or individuals who provide a specialised occupational rehabilitation service. If the appointment of an external rehabilitation provider is required a worker will be given the choice of three providers who have been selected based on:

- The type of injury sustained

- The type of Occupational Rehabilitation service(s) you require
- Where you, the injured worker, resides
- Whether the provider is requested to provide Occupational Rehabilitation service(s)

An injured worker will be required to nominate a chosen provider within 14 days and advise the Insurer and RTW Coordinator of the decision. If a Workplace Rehabilitation Provider is not selected from the provided list within 14 days, the insurer will nominate a provider and confirm this verbally and in writing.

The list of Approved Workplace Rehabilitation Providers for Healius Limited are listed below

1. Rehab Management – Ph: 1300 762 989
2. MP Safety Management – Ph: 02 9987 0455
3. Konekt – Ph: 1300 723 375

### **Information and Consultation**

Information regarding the Healius Return to Work Program (RTWP), including expectations of injured workers to participate in workplace based return to work/rehabilitation is part of the induction for all team members.

In the event of a workplace injury, the injured worker is contacted by a RTW Coordinator. Where an individual makes a claim, they are sent a copy of the “Information Pack” that provides information regarding the claim process and return to work expectations, along with contact details should they have any further questions.

Furthermore, the Healius early contact process includes providing you with information regarding the claim process and expectations around return to work.

Ongoing familiarisation of the Return to Work Program is delivered via our internal online training system with all team members allocated this training annually.

Our Healius intranet “PRIME” contains comprehensive information for our team members to assist their understanding of the return to work process and expectations should they sustain an injury or illness.

Our RTWP is here and is reviewed every 2 years or sooner if relevant legislative changes are required.

Various mediums are used to ensure there is appropriate consultation in the development of policies and procedures. Consultation is completed with all team members via our WHS Committees in addition to consultation with the Union representatives via our Healius People & Culture team. These mediums are used to obtain feedback on any significant proposed amendments to:

- The Return to Work Program, and
- The Information Pack for NSW Employees Injured at Healius

Final versions of the above documents are available to staff via the Intranet and are also included in inductions and team meetings to ensure that staff are aware of their content.

### **Rights and Obligations**

An injured workers Rights and Obligations are an important part of Return to Work Planning. The Rights and Obligations are below:

As an injured worker are obliged to:

- notify the employer as soon as possible after a work-related injury occurs

- participate and cooperate in establishing an injury management plan
- carry out the actions such a plan requires of them
- authorise a nominated treating doctor to provide relevant information to our insurer or employer using the certificate of capacity, claim form or other form of authority.
- make all reasonable efforts to recover at work.

An injured worker has the right to:

- nominate a treating doctor
- Be offered employment that is both suitable and, so far as reasonably practicable, the same as or equivalent to pre-injury employment
- be consulted and involved in identifying suitable work and developing their recover at work plan
- privacy and confidentiality
- access mechanisms for resolving complaints and disputes

The Rights and Responsibilities are provided to you by the RTW Coordinators in the information pack. These are further provided and reinforced throughout the recovery at work process via Recover at Work Plans

The responsibilities and obligations of the support team are also listed below:

Managers/ Supervisors:

- Display a commitment to the Healius RTWP and communicate that to team members as appropriate.
- Provide adequate resources in order for Healius RTWP to be implemented effectively.
- Create a culture that recognises the importance of returning to work and injury prevention.
- Report all lost time injuries (LTI) or incidents which may be significant injuries (likely to result in a worker being incapacitated from work for a continuous period of more than 7 days whether or not those days are work days or whether or not the incapacity is total or partial or a combination of both) to the Return to Work Coordinator immediately upon notification.
- Ensure injured workers receive appropriate medical treatment at time of injury and ensure worker has a copy of the Information Pack for NSW Employees.
- Arrange transportation of injured workers requiring medical attention by ambulance or to his/her nominated treating doctor for assessment and treatment, if required.
- Conduct Post Injury Risk Assessment once first aid has been delivered and contact Return to Work Coordinator as soon as possible.
- Notify the Healius Workers' Compensation Section of any inconsistencies surrounding the circumstances of the injury or any reason for dispute of liability of a claim within 24 hours of notification of the injury.
- Be actively involved in the establishment, implementation, and monitoring of the Recover at Work Plan (RAW Plan/ RAWP).
- Ensure that all documents and procedures in relation to safety and workers compensation claims are completed in accordance with the timeframes established. Assist the injured worker in completing the Workers' compensation Claim Forms and advise of what is required in order to make a valid claim for compensation.
- Assist the Return to Work Coordinator in identifying suitable duties for the injured worker according to the medical restrictions as outlined by the treating doctor.
- Ensure that the injured worker is performing duties in accordance with the Recover at Work Plan (RAW Plan/ RAWP).

- Ensure the injured worker only performs duties in accordance with the Recover at Work Plan (RAW Plan/ RAWP), and does not perform any task outside of the medical restrictions.
- Liaise with Return to Work Coordinator to provide appropriate training and supervision to injured workers who are performing unfamiliar duties.
- Notify the Return to Work Coordinator when expected outcomes outlined in the Recover at Work Plan (RAW Plan/ RAWP) are not being met, the worker does not cooperate or where the worker is consistently able to act in a way that does not appear to be consistent with the medical restrictions imposed by the treating doctor.
- Provide moral support to the injured worker (ie consider the effects of peer pressure applied to the injured worker).
- Ensure that all documentation relating to Workers' Compensation claims are forwarded to the Healius Workers' Compensation Section within 24 hours of receipt.

#### WHS Representative Committee:

- Display a commitment to the Healius Return to Work Program.
- Be actively involved in ensuring a safe work environment is provided to all employees.
- Review the Incident & Investigation Notification Report Forms and recommend and initiate preventative measures in alignment with the Healius WHS Manual.

#### Return To Work Coordinator:

- Display a commitment to the Healius Return to Work Program and communicate that to staff.
- Notify Healius Workers Compensation Section of all new injuries within 24 hours of becoming aware of the injury.
- Establish a Rehabilitation/Return to Work Case File and record accurate and objective case notes with each entry signed and dated.
- Liaise with injured worker, nominated treating doctor, treating health professionals, supervisor and Healius Workers' Compensation section to develop a Recover at Work Plan (RAW Plan/ RAWP). Identify resources and implement action required to ensure workers reaches expected outcomes. Develop, implement and review the Recover at Work Plan (RAW Plan/ RAWP) as required.
- Maintain confidentially according to State legislation and Workers' Compensation Guidelines.
- Advise the injured worker of their rights and responsibilities in complying with the Healius Return to Work Program.
- Share information/statistics with Healius WHS Stakeholders.
- RTW Coordinator's may hold the dual roles as RTW Coordinator and Health and Safety Coordinator and such, the RTW Coordinator also has the authority and responsibility for incident investigation, supporting operational personnel.

#### Healius Workers' Compensation Department:

- Ensure that injured workers are made aware of their legislative obligations in relation to the Case Management Policy and Procedures.
- Provide the worker with a copy of the following documents:
  - Worker's Rights and Responsibilities
  - Information Pack for Injured Workers – NSW
- Within three calendar days of being notified that a worker has sustained a significant injury, contact the employer, worker and (if necessary) the nominated treating doctor.
- Develop an Injury Management Plan (IMP) within 20 days of being notified of the

worker's injury, only if the injury is likely to result in the worker being incapacitated for work for a continuous period of more than 7 days, whether or not any of those days are work days and whether or not the incapacity is total or partial or a combination of both.

- Within seven days of being notified by the employer (or the worker, or another person) that a worker has sustained a significant injury, begin provisional payments of weekly benefits and medical expenses, or advise the worker why they will not receive payments
- Consult with the injured worker, employer and nominated treating doctor in the development of an Injury Management Plan (IMP) and maintain regular contact with all stakeholders as claim progresses and subsequent Injury Management Plans (IMP's) are required.
- Provide the injured worker, employer and nominated treating doctor with information on the Injury Management Plan (IMP) initially and as the plan progresses
- Inform the worker that their entitlements to weekly benefits can be suspended if they do not reasonably comply with their Injury Management Plan (IMP) and what they must do to prevent the suspension
- Advise the worker of their right to choose their nominated treating doctor and external rehabilitation provider (where one is appointed)
- Have procedures in place for an injured worker to change their nominated treating doctor and inform the injured worker of these requirements
- Consult with the injured worker, employer and nominated treating doctor when referring to a rehabilitation provider.
- Advise the injured worker that they can choose a rehabilitation provider and inform the injured worker of the process to be followed when changing a rehabilitation provider
- In cases where a worker is certified totally unfit by the nominated treating doctor, or there is little or no progress towards pre-injury duties, consider requesting that the worker sees a consultant doctor to act as a communication bridge between Healius and the treating doctor
- Ensure vocational retraining and/or assistance to obtain employment with a new employer is arranged for an injured worker as soon as it is identified that a return to pre-injury duties and provision of suitable duties is no longer possible.
- Ensure accuracy of payment of weekly benefits in accordance with wage as advised by the employer and legislative requirements.
- Ensure timely approval of medical and like treatments, if reasonable and necessary, within 21 days to assist workers in their recovery

Nominated Treating Doctor:

- Complete Certificates of Capacity to certify the worker's capacity to work
- Arrange appropriate treatment
- Specify work restrictions
- Confirm suitability of duties by way of signature on the Recover at Work Plan (RAW Plan/ RAWP), offered by Healius Group Limited
- Provide information to Healius in relation to Injury Management Plan (IMP) and Recover at Work Plan (RAW Plan/ RAWP) for the injured worker

(Approved workplace Rehabilitation Provider (for more information refer to our website)  
(any union representing workers)

## **Post Workplace Injury**

Following workplace injury first aid will be delivered and where required additional medical treatment sought.

The First Aiders role is to undertake the initial treatment of team members, contractors/labour hire or visitors who sustain injury or illness at the workplace. First Aiders provide treatment consistent with their training and competence. When in doubt, First Aiders must recommend that the person seek medical advice.

The responsibilities of first aiders are:

- Provide appropriate and timely first aid to any ill or injured team member, contractor, or visitor at the workplace, including the referral of injured workers to medical practitioners.
- Complete a record in the First Aid Register of all first aid provided on a case-by-case basis.
- Monitor and replace as necessary the contents of the first aid kit in the workgroup.
- Assist ill or injured workers complete an Incident Report Form.
- Actively participate in the annual first aid risk assessment at the workplace.
- Maintain first aid competencies according to the company standard

All incidents must be reported through the on-line Incident Notification System, QPulse, via the intranet as soon as practicable. Hard copy incident forms are also available via managers, WHS Team or RTW Coordinator or the worker can phone the supervisor and notify verbally of the injury.

Online training is provided to all staff regarding the requirements for reporting incidents as soon as practicable.

Our Group WHS team is responsible for reporting notifiable incidents to the WHS Regulator. A notifiable incident is:

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

Arising out of work carried out by a business or undertaking or a workplace. Notifiable incidents may relate to any person - whether a worker, contractor, or member of the public.

The procedures for notifiable incidents are included within the Healius WHS Management System. The process applied by our Group WHS team in these situations is below

- If a workplace manager reasonably believes that a Notifiable incident has occurred at the workplace, the workplace manager must isolate the incident scene and not allow any alterations unless in the course of administering emergency first aid treatment or to prevent further risk of injury to other personnel in the vicinity. Incident scene is to remain preserved until an inspector arrives or directs otherwise.
- Once the scene has been secured, the workplace manager must contact the relevant State WHS Manager. The State WHS Manager shall direct the workplace manager as to the required actions. These may include:
  - Gathering witness statements
  - Taking photographs
  - Organise counselling



- HLS incident reporting
  - Notifying other HLS personnel
- The State WHS Manager is to notify the relevant external authority in line with regulatory requirements
  - The State WHS Manager is to ensure an incident investigation is completed. When required, the State WHS Manager will complete and distribute a Safety Incident Alert.
  - A review of the findings, key learning's, recommended actions, and their status shall be conducted by the relevant WHS & Operational State Managers following the completion of the investigation and report. A summary of findings shall be forwarded to the Business unit.

## **Support for the Injured Worker**

### **Maintaining Positive Communication**

Healius is committed to maintaining positive communication with injured workers and the support team for the duration of the claim. This is managed through the use of our internal claims system where required tasks and reminders are entered by the Return to Work Coordinator to ensure regular communication is occurring to maintain positive communication with all parties. This is called "Monitoring of Tasks" which diarises reminders to regularly communicate with injured workers and the support team. Both the Claims Team and Return to Work Coordinator have access to this system to ensure detailed file notes are kept and that they remain in a secure location.

The RTW Coordinator also communicates with workers when there is a change in status that requires amendments to be made to the Recover at Work Plan.

The RTW Coordinator will also arrange face to face case conferences with the worker and treating practitioner to continue positive communication and build further rapport with all parties.

### **Informed Consent Obtained from the Injured Worker**

Healius is committed to obtaining informed consent from an injured worker in order to obtain information concerning the injured workers illness which is to be used solely for rehabilitation, claims management and recovery at work.

This is achieved by requesting you to complete and sign the "Authority to Release Medical Information, form which forms part of the Healius "Information Pack for Injured workers. The Consent form states:

*"This authority allows your medical treatment providers and your hospital to release information concerning your illness or injury to Healius Limited to be used solely for your rehabilitation, claims management and recovery at work. Note: You have the right to withdraw or modify your consent. Withdrawing or modifying your consent may have effects on the management of your claim. This information may be released to a third party such as specialist, independent medical examiner, independent medical consultant, or legal provider etc. You have the right to access your personal and health information and any requests that you submit for access to that information will be responded to promptly."*

The form is provided to the you usually via email or fax for you to review and provide your signed consent before discussions with treatment providers can commence. These forms should be returned

to the RTW Coordinator as soon as practicable so that there is no delay in the recovery at work process.

### **Injuries subject to an Approved Workers Compensation Claim**

Some workplace injuries will also be the subject of a Workers Compensation Claim (WCC). Where a claim is accepted by the insurer, weekly benefits and other financial support may be provided in addition to support for returning to work.

### **Pre Injury Average Week Earnings (PIAWE)**

#### **For Injuries occurring on or after 21 October 2019 below is how your entitlement to weekly benefits is calculated:**

PIAWE is generally the weekly average of a worker's gross earnings over the 52-week period prior to the injury (subject to some exceptions noted below). PIAWE is based on the sum of the amounts paid or payable for:

- earnings for the hours the worker worked and/or was on paid leave
- allowances and loadings (including for shift and overtime)
- piece rates and commissions
- the value of non-monetary benefits (only where a worker is no longer entitled to the use of that benefit following injury).

Compulsory employer superannuation contributions, compensation payments for loss of earnings and payments made without obligation by the employer (for example, discretionary bonus payments) are not considered income for the purposes of calculating PIAWE.

The 52-week period over which PIAWE is calculated may be adjusted where a worker:

- has been continuously employed with their employer for less than 52 weeks
- had a financially material change to earnings which is ongoing in nature (for example, a promotion or change in hours)
- received no earnings from work for at least seven consecutive calendar days due to the taking of unpaid leave
- was employed for less than four weeks. PIAWE may be calculated based on the weekly average of the earnings the worker could reasonably have expected to earn during that employment (if it were not for the injury) for the period of 52 weeks after the injury.

For workers who had been employed by two or more employers at the time of injury, the weekly earnings for each of the jobs are taken into consideration for the purposes of calculating PIAWE.

### **Weekly Compensation Benefits:**

If a claim is accepted, a Claims Officer will process your weekly compensation payments at the usual times wages are paid for your business unit. The injured worker will receive Weekly compensation payments as per the NSW Workers Compensation Act. See below for more information on how your entitlements will be calculated depending on your capacity and weeks paid Workers Compensation:

In the **First Entitlement Period**, which is the first 13 weeks of incapacity, the weekly

benefit entitlement will depend on whether there is no current work capacity, or limited work capacity, and the amount of pre-injury average weekly earnings. The Healius Workers Compensation team will provide a letter detailing how your entitlement has been calculated.

A benefit of 95% of your Pre injury Average Weekly Earnings for the first 13 weeks is payable regardless of capacity.

In the **Second Entitlement Period**, from 13-130 weeks of incapacity, the rate of weekly benefit reduces. It is still based on whether there is no current work capacity or limited capacity and the amount of your pre-injury average weekly earnings.

The Healius Workers Compensation team will provide a letter detailing how your entitlement has been calculated

A benefit of 95% of Pre injury average weekly earnings is payable if capacity to work is 15 hours or greater.

Where there is no current work capacity, or capacity is less than 14 hours a benefit of 80% of your pre injury average weekly earnings is payable.

If you have a capacity to work, and are in receipt of weekly benefits, you must apply in writing, using the prescribed form, no earlier than 52 weeks before the end of the Second Entitlement Period for continuation of weekly benefits in order to continue to receive weekly benefits after the end of the Second Entitlement Period. This form can be obtained from either the Healius Workers Compensation Department or from the State Insurance Regulatory Authority website. Your Claims Officer will notify you of this requirement when you are reaching this timeframe.

Post 130 weeks, (the **Third Entitlement Period**) the weekly benefit entitlement will depend on the outcome of the most recent Work Capacity Assessment and Work Capacity Decision made by your Claims Officer, taking into account all of the available information regarding your injury and work capacity.

In any event, weekly benefits will only continue to be paid after 260 weeks if there is a permanent impairment of more than 20%.

Injured workers will be advised at least 15 working days prior to the statutory step down occurring.

Injured workers affected by the 260 week limit to weekly payments will be provided with appropriate notice prior to the cessation of weekly payments as per Section 39 of the Workers Compensation Act 1987.

Insurers will provide written notification to an injured worker prior to ceasing weekly entitlements in accordance with Section 39 of the 1987 Act and will inform workers of the following at least 13 weeks prior to the cessation of weekly payments;

- The date on which payments will cease and the date the last payment will be processed.
- Supporting documentation for the assessment of permanent impairment
- The date on which entitlement to medical benefits will cease.
- Information regarding the workers entitlement to vocational and return to work assistance programs.
- Information on how to contact Centrelink and
- Who to contact for further information.

## **Development of Injury Management Plans (IMP)**

Healius is committed to participating and co-operating in the development of an Injury Management Plan (IMP) for an injured worker, in conjunction with the insurer, including offering of suitable work/ duties where they can reasonably be provided.

An IMP must be completed for any worker with a significant injury, defined as a workplace injury that is likely to result in the worker being incapacitated for work for a continuous period of more than 7 days, whether or not any of those days are work days and whether or not the incapacity is total or partial or a combination of both.

IMPs are completed to provide all relevant parties with an outline of the objectives and actions required to enhance the overall recovery of an injured worker. This includes information on the treatment plan of the nominated treating doctor as well as other treating practitioners. It outlines actions required by the relevant parties to ensure a safe and durable return to work for the injured worker.

## **Recovery at Work**

Healius is committed to ensuring that return to work is both meaningful and productive. It is the combined responsibility of the RTW, supervisor and injured worker to identify suitable duties that can be accommodated.

All reasonable endeavors are undertaken to provide suitable duties for injured workers in accordance with medically certified work capacity and relevant legislation. This may be the same job with different hours or modified duties, a different job at the same or a different workplace, training opportunities or a combination of these.

Provision of duties shall give consideration to the RTW hierarchy of goals;

- The injured workers skills and compatibility to potential suitable duties
- The recommendations of the nominated treating doctor;
- Availability of duties;
- Business Unit requirements.

Healius provides suitable duties, where reasonably practicable, even when a claim is in dispute.

The Return to Work Coordinator and Supervisor are responsible for identifying suitable duties. Once duties have been identified the Return to Work Coordinator will verbally discuss the offer with you and your nominated treating doctor to ensure that any offer of duties is suitable and within the restrictions listed on the Certificate of Capacity. The discussions with you will be around confirming the duties that will be offered and clarifying the reasons for the alternate duties if applicable. Discussions will also be around confirming days and times you will be working and if this suits your needs. The RTW Coordinator will explain to you how the plan will be supervised and that the plan will be emailed or posted out to you for your sign off.

All supervisors of injured workers are responsible for ensuring the injured worker is working within the agreed plan.

The Recover at Work Plan will be reviewed upon receipt of a current Certificate of Capacity until you have achieved a return to Pre Injury Duties.

To support RTW, in some cases, external rehabilitation support will be sought. To assist with the decision making process as to whether or not to engage external rehabilitation, the following criteria may be taken into consideration:

- Where early prognosis is that the worker may not return to pre-injury duties.
- Where the injured worker is certified unfit for any duties for a combined period in excess of 6 weeks
- Where the injured worker has been performing suitable duties, but there has been no significant upgrade in medical restrictions for 12 weeks
- Where professional assessment or advice is required
- Where alleged psychological issues eg Bullying, harassment and worker is certified totally unfit for a period in excess of 4 weeks from date of injury
- There is a possibility that the injured worker may be absent for an extended period and may need aids or home modification or assistance
- Where there is a need for work-related education or training
- Where a work place ergonomic assessment is required
- When the injured worker is permanently unable to return to his/her pre-injury job

External Rehabilitation Providers can be contracted by the Workers Compensation team to assist in the Rehabilitation/Return to Work of injured workers. Where this occurs, you have the right to choose the rehabilitation provider as stated above.

The following process is to be followed in the development of the Recover at Work Plan (RAW Plan/ RAWP):

1. If the injured worker is certified fit to return to work on suitable duties, the Return to Work Coordinator must complete a Healius Recover at Work Plan (RAW Plan/ RAWP). The duties outlined in the Recover at Work Plan (RAW Plan/ RAWP) must be meaningful, productive, and sustainable.
2. The RTW Coordinator is to ensure that the relevant site personnel are prepared for the injured workers return to the workplace.
3. The Recover at Work Plan (RAW Plan/ RAWP) is to be prepared using the approved template.
4. The Return to Work Coordinator must ensure that all parties are kept informed of the agreed actions. Each party is to sign their acceptance of the Recover at Work Plan (RAW Plan/ RAWP) and receive a copy
5. The Return to Work Coordinator will ensure that all parties are aware that the Recover at Work Plan (RAW Plan/ RAWP) is not to be regarded as permanent and clear time frames must be established and adhered to.
6. Regular review dates should be documented on the Recover at Work Plan (RAW Plan/ RAWP). These reviews should be used to ensure that the injured worker is coping with the agreed duties, is attending treatment as specified and to facilitate further communication between the Return to Work Coordinator, the treating practitioner, Supervisor, and the injured worker.

The RTW Coordinator will regularly assess your progress and provide feedback to all key parties. Outcomes of progress assessments are documented by way of file notes documenting outcomes of discussions.

Regular meetings between the parties are encouraged to ensure that the Recover at Work Plan continues to meet your needs and objectives. The Recover at Work Plan is updated in accordance

with the review dates, or sooner if there is a change in situation that requires a revised plan to be prepared.

When Recover at Work Plans are updated the RTW Coordinator must ensure that updated Recover at Work Plan are distributed and signed (if possible) by all the relevant parties prior to the commencement of the plans. If signed Recover at Work Plans are not returned there must be adequate evidence on file to show that all reasonable attempts were made to obtaining signatures and feedback of any concerns health professionals may have with the proposed actions

It is the responsibility of the RTW Coordinator to ensure that the Supervisor and you, the injured worker, are aware that no worker will be dismissed on the grounds that injury prevents them from performing their employment duties, within six months after the worker first becomes unfit for employment. This information helps to support the injured worker through their recovery at work whether they have no capacity for work or are unable to work their usual duties and or hours of work.

In the event that Suitable duties cannot be identified the RTW Coordinator will inform you, the injured worker, and nominated treating doctor. A Case Conference will be held to discuss options for suitable work and to determine if external input could assist with this process.

Where there is a disagreement in the suitable duties being offered the RTWC will arrange a further Case Conference with the you, your nominated treating doctor and supervisor. Should this not be successful the RTW Coordinator will escalate this disagreement to the Insurer for further assistance in resolving the disagreement.

### **Dispute Prevention & Resolution**

All reasonable efforts are to be made to minimise potential disputes. All decisions, related to Return to Work, Injury Management and Case Management, are to be made in accordance with the policies detailed within the Case Management Policy & Procedures Manual and those contained in the National Worker's Compensation Manual having regard to applicable legislation.

The following external parties may be engaged to assist in dispute prevention:

#### ***Injury Management Consultants;***

- Injury Management Consultants will be engaged to assist injured workers identified as at risk of delayed recovery and in circumstances where a specific issue has been identified.

#### ***Independent Consultants;***

- A referral to an Independent Consultant may be made when an injured worker has been identified at risk of delayed recovery, a specific return to work or injury management issue has been identified or referral has been requested by the worker, employer, nominated treating doctor or other treating practitioner.

#### ***Independent Medical Examiner***

When making a referral to an Independent Consultant the Insurer must advise the nominated treating doctor that the referral has been made, provide the reasons for the referral, and advise that the nominated treating doctor can be paid for time taken to communicate with the Independent Consultant.

In the event you are required to attend an appointment with a consultant the Insurer will provide you with the following information prior to the appointment:

- The name, specialty, and qualification of the Independent consultant, the date, time and location and likely duration of the appointment.
- The reason for the referral
- What information or documentation the worker must take to the consultation
- How costs including for travel will be paid
- That the worker may be accompanied by a support person
- That the worker and the nominated treating doctor will both receive a copy of the report
- What the worker is to do if they do not believe the assessment is reasonable or if they have a complaint about the conduct of the Independent Consultant.
- The SIRA brochure about Injury management consultations will be provided
- That the worker can contact IRO or their union for assistance.

***Independent Medical Examiners;***

A referral to an Independent Medical Examiner will be engaged when information from the treating medical practitioners is inadequate, unavailable, or inconsistent, and the Insurer is unable to resolve the problem directly with the practitioner.

The Insurer will only refer to an Independent Medical Examiner where the information required relates to;

- Diagnosis of an injury reported by the injured worker
- Determining the contribution of work incidents, duties and or practices to the injury
- Whether the need for treatment results from the workers injury and is reasonably necessary
- Recommendations and or need for treatment
- Capacity for pre injury duties and hours
- The likelihood of and timeframe for recovery
- Capacity for other work/duties
- What past and or ongoing incapacity results from the injury
- Physical capabilities and any activities that must be avoided.
- An insurer may refer an injured worker for an independent medical examination for the purpose of obtaining an assessment of permanent injury or permanent impairment resulting from the injury

All referrals for Independent Medical Examinations will be arranged at reasonable times and dates and with adequate notification given to you. The injured worker will be advised in writing at least 10 working days before the examination takes place.

If a shorter time is required because of exceptional and unavoidable circumstances, the reduced timeframe must be agreed to by all parties.

The written advice to you will include:

- The specific reason for the examination
- An explanation of why information from the treating medical practitioner(s) or author of the assessment report to the Insurer's inquiry was inadequate, inconsistent, or unavailable.
- Date time and location of the appointment
- Name, specialty, and qualifications of the Independent examiner
- Contact details of the medical examiner
- What to take (for example x-rays, reports of investigations/tests, comfortable clothing to enable an appropriate examination
- That you may be accompanied by another person other than their legal representative, however the accompanying person must not participate in the examination and may be required to withdraw from the examination if requested

- Advice when it is the independent examiners routine practice to record the examination on audio or video and that you must either consent to or decline this before the examination. Recording can only proceed if the worker consents
- Advice that the insurer will meet any reasonable costs incurred by you, including wages, travel, and accommodation. This may include pre-payment of travel and accommodation expenses. If you are not reasonably able to travel unescorted, this may include expenses for your escort.
- Advice that a failure to attend the examination or an obstruction of the examination may lead to a suspension of: weekly compensation, and/or the right to recover compensation under the 1987 Act
- Advice that you can request a copy of the report as well as documents that were provided to the Independent Examiner
- Advice that your nominated treating doctor will be provided with a copy of the examination report
- Advice that the workers compensation legislation gives you or a nominee a right to a copy of any report relevant to a decision made by a referrer to dispute liability for or reduce compensation benefits
- What to do if you do not believe the examination is reasonable
- What to do if you have a complaint about the conduct of the independent medical examiner
- The SIRA brochure about independent medical examinations.

#### ***Rehabilitation Providers***

A Rehabilitation Provider may be engaged to help injured return to work following a work related injury or illness. The Workplace Rehabilitation Provider works with the injured worker, employer, doctor, and insurer to achieve a recovery at work outcome.

#### ***Factual and or Surveillance Providers***

- A Factual provider can only be appointed when required information cannot be obtained by another less intrusive means. Insurers must document the purpose for undertaking any factual investigation. This will be in line with the Standards of Practice 24
- The decision to engage a surveillance service will be based on firm evidence, surveillance will be conducted in an ethical manner, and information obtained through surveillance will be used and stored appropriately. All decisions to engage a surveillance provider will be in accordance with the Standards of Practice 25

## **Disputes**

Should a dispute arise, you may request to have the matter internally reviewed by Healius's Group Risk Manager.

Such requests should be made in writing and addressed as follows:

Group Risk Manager  
 Healius Limited  
 Level 22, 161 Castlereagh Street  
 SYDNEY NSW 2000

Additional information may be provided in support of the request. On receipt of the request, the decision shall be reviewed and may either be revoked, sustained, or varied.



In the event that a dispute arises which is unable to be resolved via Healius's internal review process, you may refer the matter to the Personal Injury Commission and or IRO – Independent Review Office for assistance. The Personal Injury Commission can be contacted as follows:

Website: [www.pi.nsw.gov.au](http://www.pi.nsw.gov.au)

Tel: 1800 742 679

Email: [help@pi.nsw.gov.au](mailto:help@pi.nsw.gov.au)

Independent Review Office can be contacted as follows:

Website: [www.iro.nsw.gov.au](http://www.iro.nsw.gov.au)

Tel: 13 94 76

Email: [contact@iro.nsw.gov.au](mailto:contact@iro.nsw.gov.au)

In the first instance, a complaint made by an injured worker should be managed through to its resolution by claims personnel at the local level, with the direct supervisor. A complaint may either lodge a complaint verbally via telephone or in writing. Complaints should be directed to the:

Claims Manager, NSW  
60 Waterloo Road,  
North Ryde, NSW, 2113  
Tel: (02) 9005 7728  
Fax: (02) 9005 7785

If a complaint is lodged verbally, written confirmation of the particulars may be sought before progressing the review of the complaint.

Healius manages complaints in accordance with the requirements of AS ISO 10002-2006: "Customer Satisfaction – Guidelines for Complaints Handling in Organizations".

In this context, a complaint is defined as:

*"An expression of dissatisfaction made by a worker related to the management of a workers compensation claim, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected."*

At times, complaints can be by way of negative feedback, which may not require a resolution or formal follow-up. While this type of feedback is valuable, these procedures do not apply to feedback of this nature.

Complaints will be handled in accordance with the following principles:

Principle	Procedure
Responsiveness	Upon receipt, each complaint is acknowledged to the complainant immediately. Complaints will be handled in an efficient and effective manner.
Objectivity	Each complaint is addressed in an equitable, objective and unbiased manner through the complaints-handling process
Confidentiality	Personally identifiable information concerning the complainant is actively protected from disclosure unless the complainant expressly consents to its disclosure
Customer focused approach	We are committed to efficient and fair resolution of complaints. We actively solicit feedback from our employees on a regular basis and acknowledge a claimants right to complain
Accountability	We accept responsibility for effective complaints handling. The National Manager – OHS and Workers Compensation will ensure that, where appropriate, issues raised in the complaints handling process are reflected in employee performance evaluation.
Continual Improvement	Our complaints handling process will be reviewed periodically to enhance its efficient delivery of effective outcomes

Any person (the complainant) who is dissatisfied with the management of the workers compensation claim may contact the Group Risk Manager to complain. A complaint may be oral or written, but it is recommended that the complaint be in writing so that the details of the complaint are clear and complete.

Complaints should be addressed to:  
Group Risk Manager  
Healius Limited  
Level 22, 161 Castlereagh Street  
SYDNEY NSW 2000

When making a complaint, please provide the following information:

- the name, position, and contact details of the complainant
- the relevant claim number
- The nature of the complaint (including when the conduct giving rise to the complaint occurred)
- Copies of any documentation supporting the complaint.

If assistance is required to lodge a complaint, please contact your supervisor. If this is not appropriate, please contact the Group Risk Manager (contact details as provided above). Healius is committed to acknowledging all complaints in a timely manner upon receipt. Once a complaint has been received, an initial review of the complaint will be undertaken. Healius will endeavor to resolve complaints within four weeks of receiving the complaint, but this will not be possible on all occasions. Where our review exceeds four weeks, we will contact you to inform you of the reasons for the delay and indicate to you when we expect to be in a position to complete our review of the complaint.

Complainants have the right to enquire as to the status of a lodged complaint by contacting the Group Risk Manager.

Once Healius has reviewed a complaint, a written response will be provided. If you are dissatisfied with the response, reconsideration may be requested by writing to:

Group Executive – People Culture and Sustainability  
Healius Limited  
Level 22, 161 Castlereagh Street  
SYDNEY NSW 2000

### **Administration**

All file notes and documents are kept electronically through the internal claims system. The claims system is secure and access is limited to the Workers Compensation Claims Team and Return to Work Coordinators.

As detailed above the employer will ensure that the injured workers informed consent to exchange information is received. Clear instructions on how this is obtained is detailed under heading “Informed Consent Obtained from the Injured Workers”.