



Return to Work Policy

Policy Classification		
Policy Number:	Date of Origin: August 2010	By Whom: HR Manager
Policy Audience: Public Domain	Review Date: November 2019 May 2020	Next Review Date: 2022
Policy Approval:		
This Policy was approved by the Board in May 2020		
This policy supersedes all previous policies relating to matters contained herein.		
This policy is in accord with the Safeguarding Standards of Catholic Professional Standards Ltd which align with the National Principles of Child Safe Organizations.		

1.0 Rationale

- 1.1 Oakhill College is committed to providing its employees with a safe and healthy workplace as required by the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2017* and in accordance with Oakhill College's Workplace Health and Safety Policy.
- 1.2 Oakhill College's Return to Work Policy (also referred to as a Return to Work Programme) aims to return injured workers to employment in a safe and timely manner and to develop a positive culture that promotes recovery at work.
- 1.3 This Return to Work Policy is established in accordance with the *Workplace Injury Management and Workers Compensation Act 1998* (NSW). It outlines the general procedures for handling work related injury or illness.
- 1.4 For the purpose of this document, the term "injured workers" refers to employees of Oakhill College who are engaged under a contract of employment. It does not include volunteers, contractors, sub-contractors, consultants and students on work placements.

2.0 Guiding Principles

- 2.1 The prevention of workplace injuries. The cause(s) of injuries that occur in Oakhill College workplaces will be investigated and where a hazard is identified, appropriate risk management undertaken to minimise or eliminate the risk.
- 2.2 The early commencement of injury management and safe return to work after the injury.
- 2.3 Where reasonably practicable, the provision of suitable work, in recognition that this is an integral part of the rehabilitation process for an injured worker.
- 2.4 Consultation with employees and, where applicable, consultation with any industrial union on the return to work and injury management process. The return to work co-ordinator will consult with the injured worker and nominated representatives (if appropriate) throughout the return to work process.
- 2.5 Injured workers will not be disadvantaged through participation in the Return to Work Program. All rights of the injured worker under relevant industrial awards/agreements and legislation will be observed.
- 2.6 Injured workers are protected from dismissal because of the work-related injury for six months after the worker becomes unfit. If Oakhill College dismisses a worker because of a work-related injury, the worker may apply to be reinstated. If Oakhill College replaces the worker within two years of dismissing them, Oakhill College must inform the replacement worker that the dismissed worker may be entitled to be reinstated to the role.

3.0 Policy

3.1 Introduction

- 3.1.1 The College will develop a return to work program.
- 3.1.2 The College will consult with workers to ensure that the return to work program operates as smoothly as possible.
- 3.1.3 The College will maintain the confidentiality of injured worker records.
- 3.1.4 The College Return to Work Policy outlines Oakhill College's general procedures for handling any work-related injury or illness.

3.2 Injury Management and Return to Work

Workplace rehabilitation is the process of assisting injured workers to return to work. It is part of a wider injury management process which draws together all the activities associated with the early, safe and durable return to work of the injured worker following a workplace injury. It

includes treatment, rehabilitation, claims management, retraining and employment management practices.

This Return to Work Program is consistent with the injury management program of the insurer and has been developed in consultation with employees and where applicable the relevant union.

Employees will be regularly informed of their rights and responsibilities and of Oakhill College policies and procedures on return to work through means such as induction programs, staff meetings, newsletters, noticeboards and intranet announcements.

3.3 The Support Team

3.3.1 The Return to Work Co-ordinator

A return to work co-ordinator is nominated to manage the Return to Work Program for the injured worker and assist the injured worker's return to work. The return to work co-ordinator is the link between all the parties involved and ensures that both the needs of the injured worker and the workplace are met.

Oakhill College's Return to Work Coordinator's details are outlined below:

Person responsible for recovery at work at Oakhill			
Name	Carmel Christie		
Phone	(02) 9899 2288	Email	cchristie@oakhill.nsw.edu.au

3.3.2 Rehabilitation Providers

Rehabilitation providers are approved by SIRA and offer specialised workplace rehabilitation services to help injured workers return to work. Injured workers have the right to nominate a rehabilitation provider of their choice.

3.3.3 Nominated Treating Doctor

The nominated treating doctor is usually the injured worker's general practitioner and they are responsible for coordinating all aspects of injury management and assisting in the worker's return to work.

3.3.4 The Insurer

Catholic Church Insurance (CCI) is Oakhill College's insurer for workers compensation claims. The insurer appoints a case manager who co-ordinates all aspects of workers compensation claims, including determining liability for each claim.

Oakhill College's workers compensation insurer details are outlined below:

Our workers compensation insurer			
Name	Catholic Church Insurance (CCI)		
Phone	(02) 9273 2800	Website	www.ccinsurance.org.au

3.3.5 The Union

Where applicable the injured worker may seek advice and support from the relevant union regarding their return to work.

3.4 When an Injury is Sustained at Work

3.4.1 The Injured Worker

1. Notifies the Return to Work Coordinator of the injury as soon as practicable. This notification can be made verbally or in writing. A representative of the worker can make the notification if necessary. An Incident Report Form will be completed, and the Register of Injuries will be updated. The Incident Report Form can be found on the

- College's intranet.
- 2. Submits SIRA Certificates of Capacity for the duration of the injury to their manager or to the return to work co-ordinator as soon as possible and promptly submits claim forms if requested.
- 3. Nominates a treating doctor who will agree to participate in the development of their injury management plan.
- 4. Provides their consent for information to be shared between Oakhill College, the insurer, the nominated treating doctor, treating practitioners, workplace rehabilitation providers and SIRA for the purpose of managing the injury and workers compensation claim. This can be achieved by the worker signing the SIRA Certificate of Capacity and/or a consent form regarding sharing of information provided by the return to work co-ordinator.

3.4.2 The Manager

- 1. Ensures the injured worker receives appropriate first aid and/or medical treatment as soon as possible. Escort the injured worker to the College's Health Centre, when safe to do so. Otherwise call the Health Centre on 0408 598 576. In the event of a serious injury a NSW Ambulance should be called immediately.
- 2. Ensures the Return to Work Co-ordinator is notified about the injury via email cchristie@oakhill.nsw.edu.au or extension 291.

3.4.3 The Return to Work Co-ordinator:

- 1. Notifies the insurer of the injury within 48 hours of receiving the notification of injury.
- 2. Reports any notifiable incidents to SafeWork NSW as required under the *Work Health and Safety Act 2011*.
- 3. Records the injury in the Register of Injuries.
- 4. Forwards any correspondence in relation to the injury (e.g. SIRA Certificate of Capacity) to the Return to Work Co-ordinator as soon as possible after it is received.
- 5. Provides information to the injured worker on their rights and obligations.
- 6. Conducts an investigation and risk assessment into the incident to prevent a recurrence.
- 7. Forwards the injured worker's claim forms to the insurer within 7 days of receipt.

3.5 Support for the Injured Worker

3.5.1 The Return to Work Co-ordinator

- 1. Makes contact with the injured worker and ensures workplace rehabilitation is initiated in accordance with the advice of the nominated treating doctor.
- 2. Provides guidance and advice to the injured worker and their manager on their rights and responsibilities in the return to work process and worker's compensation benefits.
- 3. Maintains communication with the injured worker and other participants in the return to work process.
- 4. When an injured worker has capacity to return to suitable work with restrictions, develops a *recover at work plan* in consultation with the injured worker, the manager, treating practitioners, the approved rehabilitation provider and other relevant parties.
- 5. Identifies suitable work opportunities within Oakhill College which are monitored closely and regularly upgraded towards returning to pre-injury hours and duties as appropriate. Suitable work options are discussed with relevant parties as part of developing or reviewing the *recover at work plan*.
- 6. Where appropriate refers the injured worker to a workplace rehabilitation provider and advises the worker that they have the right to nominate a provider of their choice. A rehabilitation provider may be engaged where suitable work within Oakhill College cannot be identified or where the progress of the injured worker in the recover at work process is slower than anticipated.
- 7. Manages the rehabilitation process and ensures that the *recover at work plan* is implemented, monitored and regularly reviewed in consultation with all parties.
- 8. Attempts to resolve any disputes regarding the *recover at work plan* through open communication between the parties.

9. Provides the insurer with details of the injured worker's earnings to enable calculation of weekly payments.
10. Ensures payments are made to the injured worker at the usual time wages are paid and passes on other payments to the worker as soon as practicable after receiving them from the insurer.
11. Where appropriate, assists in the redeployment of the injured worker (either internally or externally) into alternative employment when it is clear they will be unable to return to pre-injury duties.
12. Ensures rehabilitation files are treated confidentially as required by the *Privacy Act 1988*.

3.5.2 The Injured Worker

1. Co-operates in the development of and participates in activities detailed in the injury management plan and *recover at work plan*. The *Workplace Injury Management and Workers Compensation Act 1998* and the *Workers Compensation Act 1987* provides that unreasonable refusal by a worker of an offer of suitable employment or necessary rehabilitation or training may compromise the payment of workers compensation benefits. Oakhill College may also take disciplinary action.
2. Attends appointments as required by Oakhill College or the insurer including with, for example, the nominated treating doctor or an independent medical practitioner.
3. Where practicable makes all reasonable efforts to return to work as soon as possible after the injury.

3.5.3 The Nominated Treating Doctor

1. Assists the insurer to develop an injury management plan.
2. Assists the return to work co-ordinator to develop a *recover at work plan*.
3. Reviews the injured worker's condition regularly.
4. Completes SIRA Certificates of Capacity, specifying any work considerations and what capacity the worker has for suitable work.
5. Liaises with the return to work co-ordinator about suitable work and timeframes for returning to pre- injury duties.

3.5.4 The Insurer

1. Advises both the injured worker and Oakhill College of their rights and obligations with respect to the workers compensation claim.
2. Determines whether liability will be accepted for the workers compensation claim and advises the injured worker and Oakhill College of the outcome of the claim.
3. Prepares, reviews and updates as necessary an injury management plan customised for the injured worker in consultation with the return to work co-ordinator, worker and the nominated treating doctor where the injury to the worker is significant (requiring more than 7 continuous calendar days away from the workplace).
4. Arranges assessments or services to assist in determining the injured worker's capacity/fitness for work.
5. Assists Oakhill College to support the injured worker's recovery at work.
6. Calculates weekly payments and determines other payments to which the injured worker is entitled and makes these payments to Oakhill College.

3.5.5 The Manager

1. Actively participates in the injured worker's rehabilitation and return to work.
2. Regularly liaises with the injured worker.
3. Where practicable, identifies and provides suitable work to the injured worker.

3.6 Dispute Procedures

Any disputes over the return to work process will be addressed as follows:

1. In the first instance, attempts to resolve any dispute will be through discussion involving the injured worker, the manager (or their nominated delegate), the return to work co-ordinator,

the insurer and other appropriate parties, who may include the rehabilitation provider and the relevant union.

2. If discussion fails to resolve the dispute, the parties may refer the matter to the Human Resources Manager.
3. If there is still no resolution, the parties may seek advice and assistance from SIRA on 131 050 or the Workers Compensation Independent Review Office on 139 476.

3.7 Confidentiality

All information and records collected during the injury management process will be kept confidential in accordance with the *Privacy Act 1988* and will only be disclosed in accordance with this legislation and/or the provisions of the *Workplace Injury Management and Workers Compensation Act 1998* or as otherwise required at law.

Injury management information includes file notes, letters, faxes, return to work plans completed by the return to work co-ordinator, and nominated treating doctor assessment reports.

Oakhill College will keep workers' return to work files separate from other personnel records.

4.0 Policy Review

The College Principal is to ensure that this Policy is monitored and reviewed to ensure it is up to date with all legal requirements and legislative changes and reviewed every two years according to the policy review schedule.

5.0 Explanatory Notes and Definitions

Injury management plan means a plan developed by the insurer of what treatment and rehabilitation is required to enable an injured worker to return to work in a timely and safe manner, including medical management, treatment and rehabilitation goals and the responsibilities of all parties in this process.

Recover at work plan is a documented plan developed by the Return to Work Co-ordinator when an injured worker is returning to work with partial capacity, and includes medical restrictions, suitable work, hours worked, supervision arrangements, treatment times and review dates.

Register of injuries means a documented record of injuries, regardless of whether there has been a worker's compensation claim. It must include the name and details of the worker (address, age and occupation at the time of injury), the industry the worker was engaged in at the time of injury and the details of the injury (including the time and date it occurred and the nature and cause of the injury). The Register may be written or electronic.

SIRA means the State Insurance Regulatory Authority which is the NSW Government organisation responsible for regulating and administering the NSW Workers Compensation system.

Suitable work is work identified for an injured worker who has capacity for work and is based on:

1. The nature of the worker's capacity and any medical information provided.
2. The worker's education, skills and work experience.
3. Any plan or document prepared as part of the recover at work process, including an injury management plan.
4. Any occupational rehabilitation services provided.

Suitable work may involve modified duties, alternative duties or changed hours of work. As far as reasonably practicable, suitable work should be the same as, or equivalent to the work performed at the time of the injury. In the majority of cases suitable duties will only need to be provided for a temporary period until the injured worker is fit to resume the full duties of his or her pre-injury position.

Workers compensation is a form of insurance payment made to workers who have been injured at work or become ill as a result of work. Workers compensation includes payments to workers to cover their wages while they are not fit for work and medical expenses and rehabilitation costs associated with the injury/illness.

6.0 Related Policies, Procedures and Support Documents

Workplace Health & Safety Policy

Further information about this document can be sought from the Return to Work Co-ordinator at cchristie@oakhill.nsw.edu.au or via extension 291.