

C-15 Return to Work Program

NQS

QA. 2.1	Health.
QA. 2.1.1	Wellbeing and comfort.
QA. 2.1.2	Health practices and procedures.
QA. 2.1.3	Healthy lifestyle.
QA. 2.2	Safety.
QA. 2.2.1	Supervision.
QA. 3.1.1	Fit for purpose.
QA. 3.1.2	Upkeep.
QA. 4.1	Staffing arrangements.
QA. 7.1.2	Management systems.
QA. 7.1.3	Roles and responsibilities.
QA. 7.2.1	Continuous improvement.

National Regulations

Reg. 77	Health, hygiene, and safe food practices
Reg. 103	Premises, furniture, and equipment to be safe, clean and in good repair
Reg. 105	Furniture, materials, and equipment
Reg. 106	Laundry and hygiene facilities
Reg. 109	Toilet and hygiene facilities
Reg. 168	Education and care service must have policies and procedures
Reg. 175	Prescribed information to be notified to Regulatory Authority

Policy Statement

To ensure that every incident is handled in the correct manner as outlined in the Workers Compensation and Return to work Legislation. CONCORD OSHC is committed to assisting employees to return safely to work after periods of illness or injury that occurred in the workplace. We aim to have procedures to help employees achieve the best health, work, and recovery outcomes.

This policy covers the procedures which allow CONCORD OSHC to assist employees to return to work as soon as is safely possible.

Related Policies

- CONCORD OSHC Policy A-12: Policy development and review
- CONCORD OSHC Policy A-17: Privacy and Confidentiality
- CONCORD OSHC Policy A-20: Insurance
- CONCORD OSHC Policy C-3: Staff Orientation and Induction
- CONCORD OSHC Policy C-12: Communication

- CONCORD OSHC Policy D-10: First Aid
- CONCORD OSHC Policy D-28: Workplace Health, Safety and Environment
- CONCORD OSHC Policy D-36: Incident reporting and investigation for staff members

Scope

This procedure encompasses the management of workers compensation claims occurring to employees of the Centre.

Note: Contractors to the Centre should have their own Workers Compensation Policy (if they have wages greater than \$7,500 per year) and the Centre will obtain copies of their Certificates of Currency to confirm this insurance (Contractors with less than \$7,500 wages per year should have a personal accident policy) If a contractor without the necessary insurance is injured the Centre may be liable for their injury.

Responsibilities

Management at the service have the responsibility to:

- Contact the Workers Compensation Insurer (Guild Insurance Ltd.) and / or WorkCover NSW depending on the severity of the incident
- Appoint a Return-to-Work Coordinator if relevant or manage the employees claim themselves in partnership with the Insurer
- Create a Return-to-Work Program in accordance with legislative requirements
- Ensure there is a generic list of suitable duties created to increase the efficiency of the Return-to-work process

Staff have the responsibility to:

- Cooperate fully with the Return-to-Work Process in the event of having a claim
- Follow the instructions within this procedure

Procedure

As a category 2 employer, CONCORD OSHC has developed a Return-to-Work Program in consultation with the staff members (attachment 1) (Workplace Injury Management and Workers Compensation Act 1998). Staff will be able to access the program on demand in the staff folder and in the policy folder.

The program is to be initiated when a staff member has been absent from work due to a workplace illness or injury.

The employer will provide the injured person with immediate First Aid and medical attention when necessary.

An injured staff member (or someone acting on their behalf) must notify the Nominated Supervisor/Responsible Person in writing or verbally of any work-related injury or illness as soon as

practicable after an injury has occurred. They are then required to complete the Register of injuries (attachment 2).

CONCORD OSHC has worker's compensation insurance that covers all employees in case they have a work-related injury or illness. The Employer must report the injury or illness to the insurer within 48hrs, and will work with the insurer to ensure the employee returns to fitness and work as soon as possible.

An injured staff member will be given a copy of the Return-to-Work Program and the brochure "A quick guide to workers compensation" when required.

A Return-to-Work coordinator will be selected to carry out the day-to day duties of the RTW program. This coordinator will assist the injured educator with all enquiries.

The return-to-work program will be reviewed every two years in consultation with employees and/or their representatives.

Sources

- Education and Care Services National Regulations 2011
- National Quality Standard
- Work Health and Safety Act 2011
- Work Health and Safety Regulations 2017
- Workers Compensation Act 1987
- Workers Compensation Regulation 2016
- Workplace Injury Management and Workers Compensation Act 1998
 - ch.3 pt.2 ss.43-45 – Workplace injury management and notification of workplace injury
 - ch.3 pt.2 s.52 – Workplace rehabilitation
 - ch.4 pt.2 div.1s.63 – Register of injuries
- Children (Education and Care Services National Law Application) Act 2010
- State Insurance Regulatory Authority www.sira.nsw.gov.au
- Safe Work Australia: www.safeworkaustralia.gov.au
- WorkCover NSW website information page – Return to work programs
- State Insurance Regulatory Authority - A Quick Guide to Workers Compensation: Information for Workers

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CONCORD OSHC

STANDARD RETURN TO WORK PROGRAM

Employer commitment

Concord OSHC is committed to the return to work of our injured workers and will:
(name of organisation)

1. prevent injury and illness by providing a safe and healthy working environment
2. participate in the development of an injury management plan and ensure that injury management commences as soon as possible after a worker is injured
3. support the injured worker and ensure that early return to work is a normal expectation
4. provide suitable duties for an injured worker as soon as possible
5. ensure that our injured workers (and anyone representing them) are aware of their rights and responsibilities – including the right to choose their own doctor and approved workplace rehabilitation provider, and the responsibility to provide accurate information about the injury and its cause
6. consult with our workers and, where applicable, unions to ensure that the return to work program operates as smoothly as possible
7. maintain the confidentiality of injured worker records
8. not dismiss a worker as a result of a work related injury within six months of becoming unfit for employment.

Procedures

1. Notification of injuries
 - Notify all injuries to the supervisor as soon as possible.
 - Record all injuries in the Register of Injuries.
 - Notify Guild Insurance of all injuries within 48 hours.
(name of workers compensation agent/insurer)
2. Recovery
 - Ensure that the injured worker receives appropriate first aid and/or medical treatment as soon as possible.
 - Consult with the doctor nominated by the injured worker and who is responsible for the medical management of the injury and assist in planning return to work.
3. Return to work
 - Arrange a suitable person to explain the return to work process to the injured worker.
 - Ensure that the injured worker is offered the assistance of a WorkCover approved workplace rehabilitation provider if it becomes evident that they are not likely to resume their pre-injury duties, or cannot do so without changes to the workplace or work practices.

Nominated WorkCover approved workplace rehabilitation providers:

As appointed by Guild Insurance

 - Arrange for the worker's early return to work (subject to medical and rehabilitation provider advice).
4. Suitable duties
 - Develop an individual return to work plan when the worker according to medical advice, is capable of returning to work.

- Provide suitable duties that are consistent with medical advice and that are meaningful, productive and appropriate for the injured worker's physical and psychological condition depending on the individual circumstances of the injured worker. Suitable duties may be:
 - at the same worksite or a different worksite
 - the same job with different hours or modified duties
 - a different job
 - full time or part time.

5. Dispute resolution

- Work together with the injured worker and their union representative to resolve any disagreements about the return to work program or suitable duties.
- If disagreements cannot be resolved, involve other parties such as the worker's treating doctor, the agent/insurer, an approved workplace rehabilitation provider or an injury management consultant.

Contacts

Workplace contact for return to work program

Name Carl Gai Telephone 0449 734 922 (centre mobile)

Workers compensation agent/insurer

Name Guild Insurance Telephone 1800 810 213

Address GPO Box 5357

Sydney NSW 2001 Website www.guildinsurance.com.au

WorkCover Claims Assistance Service on 13 10 50

Workers Compensation Commission for resolution of disputes www.wcc.nsw.gov.au

Information for workers

You have the right to:

- nominate your own treating doctor who will be involved in your injury management plan
- choose your own approved workplace rehabilitation provider if necessary
- be actively involved in the planning of your return to work.

You must:

- take care to prevent work injuries to yourself and others
- notify your employer of an injury as soon as possible
- comply with your injury management plan
- provide accurate information about any aspect of your claim
- notify the agent/insurer if you get a job or if you earn extra income from your job while you are receiving weekly benefits
- attend medical and rehabilitation assessments
- cooperate in workplace changes that will assist other injured workers.

If you do not comply with your injury management plan, the agent/insurer may suspend your benefits.

Register of injuries / illness

Employers are required to keep a register of injuries that is readily accessible in the workplace (*Under Section 63 of the Workplace Injury Management and Workers Compensation Act 1998*). The manager of any mine or quarry, or the occupier of any factory, workshop, office or shop is responsible for this register of injuries.

Requirements of injury and illness registration

- Employers must keep a **Register of Injuries** at each workplace for workers to record any workplace injury or illness
- The register of injuries may be kept in electronic form only if the employer provides education, training and facilities to ensure that workers are able to access the register.
- An injured worker (or someone acting on their behalf) must notify the employer in writing, or verbally, of any work-related injury or illness as soon as possible after an injury has happened
- Employers need to provide written confirmation to the injured worker that they received notification of the injury or illness
- Employers need to provide a signed and dated copy of this entry to the injured or ill worker.

CONCORD OSHC – OUTSIDE SCHOOL HOURS CARE PROVIDER

Injured / ill worker's details

First name:		Last name:		Date of birth:	
Position:		Worker's Address:			
RPD / Nominated Supervisor's Name:					
Are you an employee of the centre for Workers Compensation Purposes?					

Injury or illness details

Date of injury/illness:		Time of injury/illness:		am/pm
Nature of injury/illness:				
Bodily location of injury/illness (for illnesses include symptoms):				

Location at time of injury:
How was the injury/illness sustained (cause of injury /illness):
Was any plant, equipment, substance or thing involved in the injury/ illness? If yes, please provide details:

Witnesses

Were there any witnesses to the injury/illness? Yes or No. If yes, please list name and contact number for each witness:			
Name:		Contact:	
Name:		Contact:	
Name:		Contact:	
Name:		Contact:	
Name:		Contact:	

Follow up

Has the injury been reported to the Nominated Supervisor? Yes or No:	
Was any treatment provided? Yes or No. If yes, please provide details:	
Did the injured worker return to work following the injury/illness? If yes, please provide details:	

Details of person making this entry (employee or person acting on employee’s behalf)

First name:		Last name:	
Position:			
Signature:		Date:	
If you are not the injured worker, did you witness the injury/illness? Yes or No			

TO BE COMPLETED BY NOMINATED SUPERVISOR OF INJURED / ILL WORKER

Has an investigation been conducted into the incident? If yes, by whom?	
What controls have been implemented to ensure the incident doesn't happen again:	

Approved Provider confirmation

I, _____ (print name), of

(insert company name),

Hereby confirm receipt of this notification.

Signature: _____ Date: _____

Information in relation to Work Health and Safety Laws

If you are responsible under the Work Health and Safety (WHS) laws for workers other than employees, for example contractors, you may not be required under workers compensation laws to record injuries in your register of injuries. However you may find it helpful to do so. If you wish to include details of all injuries in the one place you should add space in the template to indicate whether or not the person is an employee for workers compensation purposes.

Additional resources

Please refer to the [Workers Compensation Regulation 2016](http://www.legislation.nsw.gov.au) (www.legislation.nsw.gov.au) for more detailed information.

Further Information

Contact SafeWork NSW Customer Service on **13 10 50** or visit safework.nsw.gov.au.

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