

NSW INJURY MANAGEMENT PROGRAM

UPDATED MARCH 2015



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This document is provided by CGU Workers Compensation (NSW) for use by CGU Workers Compensation (NSW) Limited staff and customers. It is to be regarded as Commercial in Confidence.

CGU's business planning process incorporates a formal review of this Injury Management Program at regular intervals throughout the year to ensure any changes in legislation and CGU policies are captured. CGU policy holders can access this program through the CGU website on **www.cgu.com.au/workerscompensation.live**

This Injury Management Program provides general guidance in relation to employer obligations under the NSW WorkCover Scheme. It has not been tailored to the circumstances of your business and must not be relied upon as legal advice. You should seek further advice as necessary from CGU in relation to individual claims or circumstances. CGU may amend its procedures, including those described in this Injury Management Program from time to time in consultation with WorkCover NSW

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Thank you for choosing CGU to manage your workers compensation claims. We are committed to providing all the information, advice and support you need to help you better understand how workers compensation can impact your business and what you can do to reduce workplace risk, better manage any claims that may arise and reduce the cost of workers compensation.

As an agent for the NSW WorkCover Scheme, CGU Workers Compensation is required by the *Workplace Injury Management and Workers Compensation Act 1998* to establish and make available to policyholders an Injury Management Program (this document). It is designed to help you meet your legislative obligations, both when workplace injuries occur and before this in completing your own Return to Work Program.

Within this document you will find all the information and tools you need to do this, including;

- your obligations as an employer,
- our obligations as your workers compensation provider,
- the approach we will take should a workplace injury occur,
- what you can do to support early RTW (Return to Work) outcomes and reduce your workers compensation premium,
- the process for submitting feedback and managing any disputes that may arise.

If you have any queries or feedback on this Injury Management Program please contact **CGU on 1300 666 506**. Our specialist staff are available to answer any questions or address any other requirements you may have. There is also a wealth of information available on our website **www.cgu.com.au/workerscompensation**. Here you can download forms and information packs, submit initial claim notifications and access information on any open claims.

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1

WORKING WITH CGU

1 WORKING WITH CGU

1.1 About CGU

CGU Workers Compensation is part of CGU Insurance, a member company of the Insurance Australia Group (IAG) and one of Australia's leading commercial insurers, insuring over 1 million homes and 500,000 motor vehicles.

CGU is the country's largest regional and rural insurer, and one of Australia's largest and most experienced workers compensation providers. We operate in all states and territories which permit private insurer participation and are also a leading provider of self insurance services.

We will work in partnership to help you develop a safety culture, reduce workplace injuries and, should claims arise, manage these in a way which minimises the disruption to your business and your worker. In doing so we will always seek to achieve timely and lasting return to work outcomes so as to minimise the impact on your premium and reduce the overall cost of workers compensation to your business.

In working with CGU you can rely on;

- flexible and responsive injury and claims management services,
- premiums that encourage and reward workplace safety and positive claims outcomes,
- responsiveness and open communication, whether you need information, support or are dealing with open claims,
- expert risk management support,
- the convenience of cgu.com.au/workerscompensation, where you can submit initial claim notifications, access reports and information, and complete online training and safety risk audits.

1.2 Our case management principles

In the event of a workers compensation claim, CGU will support you in all aspects of claim and injury management. This includes;

- initial contact with yourself, the worker and their treatment provider to inform our determination of liability (i.e. acceptance of the claim),
- payment of entitlements in accordance with the Workers Compensation Act 1987,
- coordination and monitoring of medical treatment, rehabilitation and retraining,
- regular case reviews to ensure claims remain on track for an early return to work outcome or that appropriate action is taken to address more difficult claims,
- working relentlessly and collaboratively to achieve finalisation of your claim in the form of a safe and sustainable return to work.

We are committed to providing outstanding service to help you manage your workers compensation obligations and minimise the costs to your business.

1.3 OHS risk management tools & systems

Our ultimate aim is to help our customers achieve zero workplace injuries. To this end, CGU has developed a range of tools and solutions to help you improve workplace safety and build a safety culture. As a CGU policyholder you can take advantage of:

Online employee induction packs & OHS training

Online training provides a cost effective way for you to provide a basic level of OHS training to all your employees. It can be easily rolled out across multiple worksites and enables you to track progress and completion rates.

Face-to-face OHS & injury management courses

We have used our industry experience and status as a Registered Training Organisation to develop a range of employer training courses covering both OHS and workers compensation. A calendar of all this year's courses is available at cgu.com.au/workerscompensation, with key topics including:

- OHS Consultation Course*
- Certificate III in OHS
- Introduction Return to Work Co-ordination*
- Advanced Return to Work Co-ordination*

* WorkCover NSW approved

Business Risk Radar©

CGU Business Risk Radar© is an online tool designed specifically for small and medium sized employers. By answering a range of questions about the way you manage OHS risk at both a company and site level, Risk Radar© will analyse your performance, identify risks and provide you with actions to address these.

Employer Toolkit

CGU has designed an Employer Toolkit to help employers better understand the factors that impact on their workers compensation premium and what they can do to achieve early return to work outcomes. It includes a self assessment tool to help you identify and address areas for improvement within your business.

For more information about our range of OHS Risk Management tools and systems visit cgu.com.au/workerscompensation or speak to your CGU Account Manager.

**Our ultimate aim is to help
our customers achieve
zero workplace injuries.**

2

OBLIGATIONS

2 OBLIGATIONS

2.1 Your obligations as an employer

It is your responsibility to comply with all aspects of the *Workers Compensation Act 1987* and *Workplace Injury Management and Workers Compensation Act 1998*.

These include;

- complying with your insurer's Injury Management Program (this document),
- developing and maintaining your own Return to Work Program,
- providing notification of injuries to your insurer within 48 hours of becoming aware that a worker has sustained a workplace injury,
- identifying and providing suitable employment in accordance with medical certification,
- participating and co-operating in the development and implementation of an Injury Management Plan and Return to Work Plan for each significant injury claim (explained in section 3.4) and complying with your responsibilities and obligations as outlined in these documents.

Your Return to Work Program

- This document is a necessary and important part of your workers compensation program. It details the policies and procedures your business has in place to help workers with their recovery and return to the workplace in a safe and durable manner.
- Your plan must be consistent with this CGU Injury Management Program and developed in consultation with your employees and any relevant union representatives. CGU can guide you through this process and also provide a template for you to use. This template is attached as Appendix A and also available for download from cgu.com.au/workerscompensation. You can also click here to access WorkCover guidelines to assist you in developing your program.

You are required to have a return to work program in place within 12 months of becoming an employer. It must then be updated every two years.

- The specific requirements of your Return to Work Program will depend on which of the two categories your business fall into:

Category	Requirements
Category 1 <ul style="list-style-type: none"> • Basic tariff premium exceeds \$50,000 per annum, or • Self-insured, or • Insured by a specialised insurer and employ more than 20 workers. 	<ul style="list-style-type: none"> • Maintain a customised Return to Work Program in accordance with the WorkCover Guidelines for Workplace Return to Work Programs (Catalogue No. WC02872). This is available from the WorkCover Publication Hotline (1300 799 003) or www.workcover.nsw.gov.au • Workers must be notified about the Program and it must be displayed at the workplace. • You must appoint a WorkCover-certified Return to Work Coordinator with necessary qualifications, authority and resources.
Category 2 <ul style="list-style-type: none"> • Any employer that does not meet the criteria for Category 1 	<ul style="list-style-type: none"> • You can adopt a standard Return to Work Program prepared by WorkCover, however a program that works for the individual workplace is encouraged. • You must provide all staff with access to the Program. • There is no obligation to appoint a Return to Work Co-ordinator, however shared arrangements can be established to assist in meeting obligations.

Penalties apply if there is a failure to establish a Return to Work Program and comply with the return to work requirements under Section 52 of the *Workplace Injury Management and Workers Compensation Act 1998*. Exemptions apply for some small businesses such as owner builders and family businesses. For more information see Clause 26 of the *Workers Compensation Regulation 2010* (available at **www.workcover.nsw.gov.au**) or contact CGU on 1300 666 506.

2.2 CGU's injury management obligations

CGU must also comply with all relevant aspects of the *Workers Compensation Act 1987* and *Workplace Injury Management and Workers Compensation Act 1998*. These include:

Developing and maintaining an Injury Management Program (this document)

Including lodging a copy with WorkCover NSW and updating this as required to reflect legislative and regulatory changes.

Inform and update CGU staff about the Injury Management Program, their obligations and any other associated policies and procedures

In doing this CGU will utilise its core employee communication channels. These include;

- our intranet, where the document will be made available and through which we will issue updates on subsequent versions of the Injury Management Program,
- team meetings,
- staff inductions.

Informing employers on their obligations

Ensuring all CGU Workers Compensation policyholders are aware of their obligations under our Injury Management Program, including;

- providing a copy of CGU's Injury Management Program to all new policyholders,
- providing a copy to any CGU policy holder upon request,
- meeting with employers as required to discuss their obligations and content outlined within the Injury Management Program.

Informing workers of rights, obligations and penalties

CGU must advise workers of their obligations and responsibilities and the consequences of failing to meet these obligations. This specifically includes advising the worker;

- of the procedures that must be followed should they wish to change their nominated treating doctor; **and**
- that they may have no entitlement to weekly payments if they fail to reasonably comply with their Injury Management Plan after being requested by CGU to do so.
- that a worker who has current work capacity must make reasonable efforts to return to work in suitable employment or pre-injury employment.

Providing early communication

CGU is required to discuss each claim with the worker, employer, nominated treating doctor and, if appropriate, the treatment provider within three business days of being notified of a *significant injury* (i.e. where a worker is unable to perform their normal duties for a continuous period of greater than 7 calendar days).

Developing an Injury Management Plan for all significant injuries

An Injury Management Plan (IMP) outlines a return to work goal, treatment program and each parties' actions and obligations in working towards the goal. CGU's Case Manager will develop the IMP in consultation with the employer, worker and nominated treating doctor within 20 business days of CGU being notified of a significant injury. The Case Manager will then forward a copy of the IMP to all relevant stakeholders.

Reviewing and monitoring the Injury Management Plan

The IMP is a 'live' document and must be regularly reviewed by CGU throughout the lifecycle of the claim and updated in consultation with stakeholders where there is a significant change in capacity for work, or the return to work goal.

Coordinating a safe and lasting return to work

CGU Case Managers must work to ensure that claims are proactively managed to finalisation (i.e. closure), and that where this is represented by a return to work outcome that priority is given to the safety and the sustainability of the employee's return to the workplace.

Weekly payment entitlements

Accurate and timely weekly payments in accordance with the legislation and wage information provided by you to CGU.

Review of this Injury Management Program

CGU's Quality Management Framework includes a formal review of this Injury Management Program. This review will be undertaken by members of the Risk and Compliance team and will involve;

- incorporation of any changes in legislation and CGU policies and procedures,
- engagement with policyholders through the invitation to provide feedback included in this document and consideration of all such feedback as part of our Injury Management Plan review,
- review of feedback from CGU employees,
- inclusion of the Injury Management Program within CGU's formal Audit Program (this will ensure appropriate and timely remediation of any issues identified),
- legal review of any amendments.

An integral part of CGU's Quality Management Framework is its Continuous Improvement Program. This Program provides a framework for CGU to directly involve and harness the ideas of our staff, customers and providers to help enhance and improve our overall product and service offerings.

2.3 The worker's rights and obligations

A worker has the right to;

- choose their own doctor (the nominated treating doctor), rehabilitation provider and any other treatment providers,
- request a change in their nominated treating doctor, after discussion with and approval by CGU (Section 47(6) of the WIMS Act 1998),
- have a say in their Injury Management Plan and Return to Work Plan,
- have a union representative present, if required.

The worker must comply with all relevant aspects of the *Workers Compensation Act 1987* and *Workplace Injury Management and Workers Compensation Act 1998*. These include;

- notifying you of any workplace injuries that occur as soon as possible,
- participating in the development of their Injury Management Plan,
- complying with their obligations under the Injury Management Plan,
- making all reasonable efforts to return to work,
- attending all appointments and assessments as recommended by the treating doctor, allied health provider and CGU.

Unreasonable refusal to co-operate with these requirements may impact the worker's entitlement to weekly payments.

2.4 The nominated treating doctor's obligations

In most cases the nominated treating doctor is a General Practitioner. They are responsible for coordinating all aspects of the worker's treatment and providing assistance in managing their return to work.

This includes;

- issuing a certificate of capacity detailing whether the worker has or doesn't have capacity for any type of employment,
- participating in the development of the Injury Management Plan and Return to Work Plan,
- providing relevant information to the employer and insurer,
- recommending and arranging reasonably necessary treatment,
- reviewing the progress of recovery and effectiveness of medical management,
- being available as required for scheduled discussions with yourself and CGU regarding injury management and return to work.

2.5 Obligations of the workplace rehabilitation provider

The workplace rehabilitation provider is an organisation, staffed with occupational and allied health professionals, which is approved by WorkCover to provide workers with specific rehabilitation services to assist them in their recovery and return to work.

They are required to;

- promote an early and safe return to work through proactive injury management,
- ensure all services are delivered in a timely and cost effective manner,
- facilitate communication between all parties to ensure a co-ordinated progression to return to work,
- help you to meet your obligations in terms of providing and managing suitable employment,
- develop rehabilitation intervention based on WorkCover's Return to Work Hierarchy (see section 3.4),
- through comprehensive assessment identify the risks and barriers impacting on the worker's return to work and develop strategies to address these.

3

THE LIFECYCLE OF A CLAIM

3

THE LIFECYCLE OF A CLAIM

This section looks at the various stages that a workers compensation claim goes through, from the injury occurring through to finalisation or closure of the claim – in most cases following a successful return to work. These stages are outlined in the diagram below and discussed in sections 3.1 to 3.5



3.1 When an injury occurs

When a workplace injury occurs it is your responsibility as an employer to immediately:

- ensure your worker receives appropriate first aid treatment; **and**
- document the incident in your register of injuries.

If there is a serious injury or illness you must also immediately notify WorkCover on 13 10 50. Serious injuries include a fatality, amputation of a limb, loss of consciousness, entrapment in machinery or a confined space, serious burns or any condition where life support is required. For full details see and www.workcover.nsw.gov.au

In all other cases you must notify CGU within 48 hours of becoming aware of an injury in your workplace as required by the *Workplace Injury Management & Workers Compensation Act 1998*.

3.2 Notification

The easiest and quickest way to notify CGU of an injury is online at www.cgu.com.au/workerscompensation. You can also provide notification via email, phone or mail:

- **Email** earlynotification.nsw@cgu.com.au
- **Telephone** 1300 666 506
- **Mail delivery** CGU Workers Compensation
GPO Box 9960
Sydney NSW 2001

The person providing notification will need to provide;

- the date, time, location of the injury, together with how the injury happened,
- the worker's name, address, contact number, gender and date of birth,
- details of the injury and body part(s),
- employer (company) name,
- their name and address,
- their relationship to the worker or employer.

It is helpful if you are also able to provide your workers compensation policy number, the name and contact details of the treating doctor or hospital, and the worker's occupation, wage details and the number of hours per week they work.

The benefits of early notification

Early notification enables CGU to make decisions on liability as quickly as possible after an injury, giving the worker peace of mind and getting the right treatment plan underway. Early notification also helps to reduce the cost of claims – a cost which will in turn impact on your workers compensation premium in each of the following three years.

Data from all claims notified to CGU in the year to July 2010 shows that the cost of claims notified within 6 to 7 days is more than 20% higher than those notified within the first 48 hours. For claims notified after 30 days, the average cost is more than double.

CGU will also waive your claims excess when notification is provided within 5 calendar days of becoming aware of a workplace injury. Otherwise the excess applied is equivalent to one week of the worker's current gross weekly pay or an amount set by WorkCover, whichever is the lesser. Please speak to your CGU Case Manager, who can confirm the amount specific to your worker's claim.

3.3 Assessment

CGU will contact you on receipt of a notification of injury, regardless of the nature of the claim. Within the first three days we will also make contact with the worker and their nominated treating doctor – a process we call Three Point Contact that is designed to;

- obtain information to make an informed decision on liability,
- ensure all parties understand their roles and responsibilities,
- openly promote positive expectations for early RTW,
- identify potential recovery and RTW barriers,
- develop appropriate strategies to facilitate RTW as soon as possible,
- opportunity for employers to raise queries about a claim before liability assessment takes place.

Three Point Contact focuses on the circumstances of the worker's injury and other important details such as;

- how the injury occurred and whether their employment was a substantial contributing factor,
- the worker's condition and relevant injury factors,
- time lost from work as a result of their injury,
- accurate wage information,
- pre-injury job requirements,
- return to work opportunities, including the availability of suitable employment.

Assessing liability

CGU will make a decision on liability within 7 calendar days of injury notification. This decision will be made in consultation with you based on the information obtained through our Three Point Contact. If the claim is accepted we will also work with you to determine the employee's entitlement for weekly payments, along with medical and other expenses.

Within the WorkCover Scheme there are four possible decisions that CGU could make when determining liability:

<p>Liability Accepted</p>	<ul style="list-style-type: none"> • Time frames for a full liability decision depends if Provisional liability has been accepted, but usually this is within 21 days from receipt of a claim form supported by a WorkCover Certificate of Capacity or after Provisional Liability has been exhausted. • Your Case Manager may also accept full liability upon receipt of an injury notification if it is felt that this is appropriate. If this is the case, then full liability will be determined within 7 calendar days from receipt of an injury notification.
<p>Provisional Liability</p>	<ul style="list-style-type: none"> • Determined within 7 calendar days from receipt of an injury notification. • Provisional acceptance can be for weekly payments and/or medical expenses. • A maximum of a total 12 weeks entitlements of weekly payments can be paid (however your Case Manager will determine the most appropriate timeframe based on available information - which may be less than 12 weeks). • A claim can be accepted during the period of Provisional Liability without the need of claim forms. • Maximum of \$7,500 can be paid in medical (and like) expenses. <p><i>If the maximum has been reached in either weekly payments and/or medical expenses - and payments need to continue - liability acceptance will need to be considered.</i></p>
<p>Reasonable Excuse</p>	<ul style="list-style-type: none"> • Where there is strong evidence that does not support payment of workers compensation entitlements or where CGU has exhausted all efforts to obtain important information on which to make a soundly based decision on liability. If this is the case a Reasonable Excuse notice may be issued in accordance with clause 7 of the WorkCover Guidelines For Claiming Compensation Benefits. • Notice will be issued within 7 calendar days of receipt of an injury notification. This will outline why a Reasonable Excuse notice has been issued and what the worker can do to remedy the situation. • If the worker does remedy the issues, CGU will again need to assess liability and may be required to accept or provisionally accept liability for the claim.
<p>Liability Disputed</p>	<ul style="list-style-type: none"> • Where CGU has strong evidence to suggest that liability should not be supported. • A S74 Dispute Notice will be issued within 7 calendar days. • The worker has the option of requesting a review of our decision.

What happens if I disagree with the decision made by CGU?

While CGU must comply with all legislative requirements, we endeavour to work with you to achieve the best outcomes for your business and the worker.

Should you have any concerns about a liability decision, please contact us immediately. In doing so you should provide whatever facts you think may be relevant or are requested by CGU as we are unable to support or consider unsubstantiated information.

More information is contained in section **4.0 (Managing Disputes)**.

3.4 Action

CGU will work with you, your worker and their treating doctor to ensure they get an appropriate course of treatment and that all entitlements (wages or salary and medical costs) are paid in a timely fashion. We will manage the claims process in a way which minimises cost and disruption to your business, and which keeps the worker on track for a fast, safe and effective return to work.

The length and complexity of the claims process (and what is required from you as the employer) will depend on the nature of the workers' injury. Claims generally fall into two categories;

- **Non-significant Claims** – where the worker is able to return to their pre-injury duties within one week,
- **Significant Claims** – which require ongoing management for a period of more than one week.

Non-significant claims

Where there is a relatively minor injury and return to work on pre-injury duties can be quickly and easily achieved, the actions taken by CGU will include;

- processing approvals for treatment,
- payment of accounts and wages for any time lost,
- ensuring the claims process runs smoothly and the claim is finalised quickly,
- ensuring all parties (yourself, the worker, treating doctor and CGU) are communicating about the claim.

As an employer, your key responsibilities will be to provide timely injury notification and submit the claim form and any other relevant documentation to CGU for prompt processing of approvals.

Significant claims

When an injury is more significant and a longer treatment period required before the worker can return to work, CGU will develop and oversee a structured claim and Injury Management Plan whereby we will work collaboratively with yourself, your intermediary (where appropriate), the worker, their treating doctor and any other relevant treatment providers.

This process will include;

- development of an Injury Management Plan (IMP) within 20 business days of notification. This will outline a return to work goal (stated in terms of duties and timing), steps to achieve this, the responsibilities of each party, legislative obligations and the consequences of failing to comply with the actions detailed in the plan,
- processing and approving treatment requests,
- monitoring the worker's treatment program to ensure that all treatments are according to best practice, provided at a reasonable cost and that their selection follows a review of all relevant alternatives,
- regular reviews of the Injury Management Plan to monitor and progress towards the return to work goal
- regular claims reviews to monitor, progress and, where necessary, refine the claim strategy (e.g. identifying actions to perform on the claim),
- case conferences, bringing together CGU, yourself, the worker, their treating doctor and, where appropriate, other treatment providers. These are designed to ensure everyone has the same understanding of where the claim is at, what is required next and who is responsible,
- provision of a copy of the IMP to all relevant parties.

You will be required to play an active role in this process. In addition, there are several things you can do to help get your worker back to the workplace. CGU will look for your support in:

Providing suitable employment

Suitable employment are a selection of work tasks that can be performed by the worker given their work capacity (as stated on their medical certificate). These might be part of their normal pre injury role or a different role within the same or another workplace.

Employers are required under Section 49 of the *Workplace Injury Management and Workers Compensation Act 1998* to provide 'suitable employment, so far as is reasonably practicable'. We understand that this is not always easy, but suitable employment is one of the best ways for you to control the cost of a claim. This is particularly important in long-term claims, where the cost can become considerable and will impact your premium for each of the following 3 years. There is also a benefit for the worker, with the workplace being the most effective place for recovery to occur in the majority of cases.

You will be expected to;

- provide CGU with information on the functional requirements of all potential roles within your business,
- provide information to the treating doctor,
- maintain contact with the worker throughout the return to work process,
- support your worker upon their return to the workplace to help ensure the suitable employment role acts as a stepping stone to a return to pre-injury duties.

The worker has an obligation to accept suitable employment that is offered within their medically certified capabilities and refusing may be seen as not co-operating with the conditions of their Injury Management Plan.

Identifying suitable employment

CGU can help you explore options for suitable employment roles within your business. This is something that can be done before an injury occurs (e.g. compiling a Job Dictionary of the roles within your business and the physical requirements of each).

For individual claims it is recommended that you start planning for suitable employment when the worker has no work capacity in preparation for their return to work. This could involve contacting the treating doctor to discuss the requirements of the pre-injury job and the potential for suitable employment given the worker's work capacity. If you have already identified potential roles and associated tasks, this will help you identify those which are appropriate. If you are starting to look at options, the information you obtain from the treating doctor will help you focus your efforts.

We will work with you to examine and assess all options in line with WorkCover NSW's Return to Work hierarchy:

Same employer, same job

Same employer, different job

Different employer, same job

Different employer, different job

WorkCover's preference is for suitable employment closest to the employee's pre-injury role, and then for a different role with the same employer. Should the worker's certificate of capacity prevent them assuming the suitable employment available within their normal workplace, we will ask you to explore redeployment to any other worksites you might operate or, where necessary, to another employer.

If the worker is unable to return to his/her pre-injury role, there are a number of WorkCover vocational programs designed to help achieve a lasting and safe return to work (Pursuant to Section 53 of the 1998 Act). WorkCover provides re-education and rehabilitation support through:

- a) financial assistance for the retraining of workers, including on-the-job experience with a host employer (i.e. a work trial)
- b) financial incentives for the provision of equipment to employers who retain their workers and where this equipment will prevent re-injury, **or**
- c) financial assistance to employers who offer new employment to unemployed workers (i.e. JobCover Placement Program).

Costs associated with these programs are met by WorkCover and do not directly impact on your premium. You will need a Workplace Rehabilitation Provider to assist you in this process, and CGU is able to help you find a provider that's right for you. Workplace Rehabilitation Providers are also able to assist with identifying appropriate vocational retraining and job seeking.

For more information and practical tools on identifying and providing suitable employment, ask your CGU contact for a copy of our Employer Tool Kit – a practical guide to return to work planning.

Developing a Return to Work Plan

While your Return to Work Program (section 2.1) focuses on your company's policies and procedures, a Return to Work *Plan* is a claim-specific document that provides a roadmap for the worker's return to work.

Completed by the employer in consultation with the worker and their treating doctor, it should contain;

- detailed information on the worker's pre-injury roles and functional requirements,
- the return to work goal (e.g. a return to pre-injury duties in three months),
- a phased progression of suitable employment tasks, in line with work capacity as per the WorkCover NSW Certificate of Capacity, ideally building up to a return to pre-injury duties,
- for each stage there should be a detailed profile of the suitable employment roles available and a target for when these will be achieved,
- details of the current treatment program,
- the evolution of the treatment program in line with the progression of suitable employment tasks,
- the signatures of the worker, treating doctor and employer as a symbol of their commitment to the Return to Work Plan.

You may also wish to engage the support of a Workplace Rehabilitation Provider to assist you in suitable employment identification and development of your Return to Work Plan.

You should ensure that CGU has a current copy of the signed RTW Plan.

A template and detailed guide to developing a Return to Work Plan are included as Appendix B and Appendix C.

3.5 Monitor & review

Monitoring individual claims

Regular review of the worker’s progress towards their return to work goal is required so that any necessary adjustments can be made to the Return to Work Plan. This helps ensure nothing happens which compromises their recovery and that the claim progresses to finalisation and a successful return to work outcome.

CGU will make regular contact with all stakeholders to discuss the progress with recovery, work duties and any ongoing treatment. We will also conduct internal claim reviews to discuss the worker’s progress and through this look to identify, manage and review any risks or barriers to successful resolution of the claim.

Monitoring third party provider performance

CGU has developed a network of service providers to support clients in all aspects of injury management and return to work planning. These providers are managed through Service Level Agreements and a Balanced Scorecard approach where the key factors include costs; progress against return to work plans, goals and strategy; non-compliance of workers or treatment providers; and future strategies, goals and plans to maintain or improve performance. Our NSW network providers are listed below.

At the same time CGU is happy to work with other service providers in cases of client preference or special and specific needs. In such cases we will monitor provider performance against the return to work goal and utilise Case Conferencing (claim reviews involving the employer, worker, service providers and CGU) to ensure all providers are engaged on a claim and have a common understanding of service requirements.

Legal	Workplace Rehabilitation	Investigation	Independent Medical Assessment Houses
<ul style="list-style-type: none"> Sparke Helmore Lawyers TurksLegal Rankin Ellison Lawyers Moray & Agnew Lawyers Bartier Perry 	<ul style="list-style-type: none"> Konekt APM WorkFocus Kairros ARMS Nexus Solutions Actevate IPAR Recovre CAS Pinnacle Procare Injury Treatment 	<ul style="list-style-type: none"> QuantumCorp G4S AHC Investigations ABi 	<ul style="list-style-type: none"> MLCOA MSBC IMO Medicins Legale Australian Medico-Legal Group

4

MANAGING DISPUTES & COMPLAINTS

4

MANAGING DISPUTES & COMPLAINTS

While CGU must comply with legislative requirements, we will endeavour to partner with you to achieve the best outcomes for your business and any workers who sustain an injury in the workplace. Our people take a consultative approach to all decision making to ensure our organisations are aligned to a common goal – an approach which we have found minimises the incidence of disputes.

At the same time, the following processes are in place for any disputes that may arise:

Disputing a decision regarding liability

In the event that a claim is reasonably excused or declined, CGU will send the worker a S74 Dispute Notice (also copied to the employer and treating doctor).

We apply this section of the 1998 Act in line with the *Workers Compensation Act 1987* and may do so at any stage during the life of the claim when we have credible evidence to indicate we are not liable for all or part of a claim, meaning that we;

- do not commence weekly payments; or,
- decline to pay for a service that has been requested.

CGU is required to undertake an internal review of all decisions to decline liability under S74 and this review must be conducted by someone other than the person who made the original decision. CGU internal reviews are conducted by Injury Management Advisors (for medical/treatment decisions) or Technical Advisors (for non-medical issues). These staff have extensive knowledge of the legislation and the necessary expertise to conduct independent reviews of claims and of CGU's decision making processes.

When a decision is made to decline payment (dispute all or part of a claim for weekly payments and medical expenses), the Case Manager must ensure the following statements are included in the Notice to the worker;

- the specific nature of the aspect of the claim for which payment is being declined, the decision made and the basis for the decision,
- the reasons CGU has declined to pay, including the relevant parts of the workers compensation legislation and any other information relied upon by CGU for its decision,
- matters that may be referred to the Workers Compensation Commission are limited to matters specified in the Notice or in a Review Notice,
- a list of all reports and documents relevant to the claim or aspects of the claims to which the decision relates,
- any reports or documents submitted by the worker in making the claim,
- confirmation that all reports and documents relevant to the decision are attached to the Notice.

The Notice must also include a statement advising that the worker may;

- request CGU review the decision (optional review),
- contact WorkCover Customer Service Centre on 13 10 50,
- seek assistance from the worker's union or lawyer,
- refer the dispute to the Registrar for determination by the Workers Compensation Commission.

If a worker has been in receipt of weekly payments, the following advice is provided within the S74 Notice:

- If the worker has received weekly payments for a continuous period of at least 12 weeks, but less than one year, the worker is entitled to receive a further two weeks of weekly payments from the date of declination.
- If the worker has received weekly payments for a continuous period of one year or more, the worker is entitled to receive a further six weeks of weekly payments.

Requesting review of a dispute notice

If a worker requests an optional review, the review is undertaken by an Injury Management Team Leader, Technical Advisor or Team Leader not associated in any way with the original decision or the original review process.

If after the optional review, CGU maintains the decision to decline to pay, CGU must issue a further Notice. The content of this Notice must contain the same type of information as the original Notice. Any further reports that have come into the possession of CGU and that are relevant to the review decision are attached. The worker may request more than one review.

If CGU receives information which suggests that a worker has not complied with his/her Injury Management Plan, the Case Manager contacts the worker to discuss reasons why they have failed to comply. If the Case Manager is not satisfied with the validity of the reasons for non-compliance, the Injury Management Plan is updated to clearly outline to the worker that failing to comply with the plan may result in suspension of weekly benefits.

If non-compliance persists, an S57 Notice as described above may be required pursuant to the *Workplace Injury Management and Workers Compensation Act 1998*.

Disputing a work capacity decision

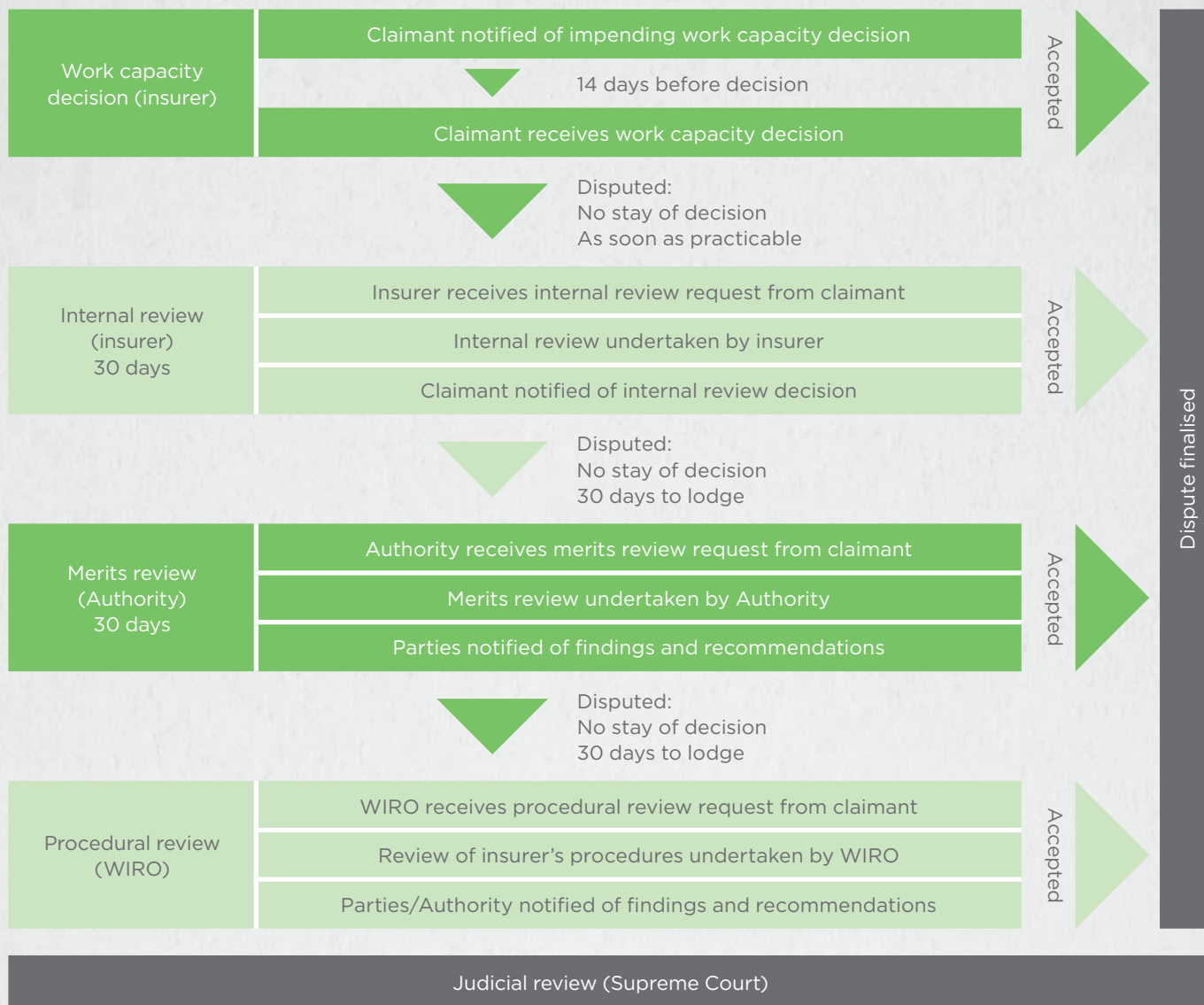
A work capacity decision is a specific type of decision by the insurer which is defined in section 43(1) of the 1987 Act as;

- a) a decision about a workers current work capacity,
- b) a decision about what constitutes suitable employment for a worker,
- c) a decision about the amount an injured worker is able to earn in suitable employment,
- d) a decision about the amount of an injured workers pre-injury average weekly earnings or current weekly earnings,
- e) a decision about whether a worker is, as a result of an injury, unable without substantial risk of further injury to engage in employment of a certain kind because of the nature of that employment,
- f) any other decision of an insurer that affects a worker's entitlement to weekly payments of compensation, including a decision to suspend, discontinue or reduce the amount of the weekly payments of compensation payable to a worker on the basis of any decision referred to in paragraphs (a)-(e)."

When making a work capacity decision the case manager will;

- Ensure that all reasonable opportunities to establish capacity for work have been provided to the worker,
- Ensure that the case manager meets their responsibilities of establishing and supporting an Injury Management Plan tailored to the worker's injury,
- Evaluate all available and relevant evidence,
- Follow a robust and transparent decision making process with clear, concise and understandable information provided to the worker giving reasons for decisions,
- Seek any additional information that is required to ensure the workers current capacity for work is fully understood,
- Provide opportunity for the worker to contribute additional information, especially if the decision may result in reduction or discontinuation of the workers weekly payments,
- Ensure decision makers have the appropriate expertise, ability, and support to make the decision they are making.

A worker may refer a work capacity decision by the case manager for an internal review by CGU and afterwards for a merits review of the decision by the WorkCover Authority and afterwards for a review of CGU's procedures to the WorkCover Independent Review Officer (WIRO). You may obtain additional information by visiting the NSW WorkCover website www.workcover.nsw.gov.au and read through the "Work Capacity Guidelines" document which contains extensive information regarding the dispute process.



Support available to employers and workers in managing disputes

Where return to work problems arise CGU will work with all parties towards resolution and a mutually acceptable outcome. To assist with this process, CGU may involve:

An approved Workplace Rehabilitation Provider (WRP)

As well as assisting with return to work, if not already involved, may be utilised to work collaboratively with all stakeholders towards an agreeable return to work outcome.

Independent Occupational Physician (IOP)

Available to assist CGU in-house in reviewing the worker's claim and propose recommendations in the management of the claim.

Injury Management Consultant (IMC)

Registered medical practitioner, who will assist with facilitating return to work and injury management, however, do not get involved in treatment.

Independent Medical Examiner (IME)

Specialised medical practitioner who provides an independent opinion regarding the injury and treatment needs. An IME is able to assist with decisions regarding rehabilitation, return to work and entitlements to compensation.

Independent Treatment Consultants

Allied health professionals who can assist with providing a second opinion regarding the treatment provided and the need for ongoing treatment.

5

CUSTOMER FEEDBACK AND COMPLAINTS

5 CUSTOMER FEEDBACK AND COMPLAINTS

CGU is committed to providing the highest levels of customer service and our people are always ready to listen, help and advise. CGU also recognises the value of customer feedback in monitoring the quality of our customer service and that of our providers involved in the management of the workers claim. This enables us to find new ways to improve the way we work with the various customers involved in the management of workers compensation claims.

Our Customer Feedback system is designed to meet the principles specified within the Australian Standard *Customer Satisfaction Guidelines for Complaints Handling In Organizations (AS ISO 10002-2006)*.

All matters are dealt with in a confidential manner. Once your feedback has been received you will receive a letter of acknowledgement containing a reference number. Your feedback is then forwarded to the relevant manager to review and provide a response (where one has been requested). CGU aims to resolve and provide a response to customers within 5 working days from the date of the acknowledgment letter.

The easiest and quickest way to provide feedback to CGU is to fill in the online feedback form www.cgu.com.au/workerscompensation. You can also contact us by email, phone or mail:

- **Email** customer.feedback@cgu.com.au
- **Telephone** 1800 801 241 (Toll free)
- **Mail delivery** CGU Workers Compensation
GPO Box 9960
Sydney NSW 2001

Alternatively you may wish to contact WorkCover Customer Service Centre **13 10 50**
www.workcover.nsw.gov.au

6

PRIVACY AND CONFIDENTIALITY OF INJURY MANAGEMENT INFORMATION

6 PRIVACY AND CONFIDENTIALITY OF INJURY MANAGEMENT INFORMATION

6.1 The Privacy Act

The Privacy Act 1988 was implemented by the Federal Government of Australia to ensure organisations which hold information about individuals handle the information in a responsible way and ensures the rights of the consumer are protected.

The Privacy Act places restrictions on the way private sector organisations collect, use, disclose and store personal information about individuals. It sets the minimum standards for information handling by organisations that collect personal information.

The Privacy Act gives individuals the power to access and control their personal information. Individuals have the right to;

- know when their personal information is collected and stored,
- know how their information is used and disclosed,
- ensure the accuracy of information held about them,

Personal information includes information (whether true or not) about an identifiable individual and includes:

- details about any natural person which enables you to identify them.
- “location” information – information about the location or residential address of an identifiable individual
- false information – even opinion and speculation about a natural person are caught
- information can be paper records, pictures, computer images, and tape recordings.

CGU has processes in place to ensure information is protected. These include;

- only collecting information about a worker that is necessary for the primary purpose of managing the case,
- only using and disclosing information concerning the worker if it relates to the primary purpose (managing a case) or for a secondary purpose that is related to the primary purpose (e.g. a recovery),
- when circulating personal information within the business, all identifying features about the worker are erased,
- when discussing case issues in group meetings, identifying information about the worker is not disclosed,
- if a request for access is received directly from a worker, and the request falls outside the parameters of a normal business request, advice is sought from the NSW Risk and Compliance team,
- when discarding a document which contains personal information enabling identification of the worker, the document is sent for secure disposal,
- verifying all callers’ identification with a series of questions.

6.2 The health privacy principles

Health information “includes information or an opinion about the physical or mental health or a disability of an individual. It can include information about the health service provided, the donation of human tissue or the genetic information about a family member, and so on”.

There are 15 legislated Health Privacy Principles outlining how health information should be “collected, stored, disclosed and used” and sets out how complaints are managed. Requests for health information to the claims department is provided to the requestor within 30 days.

6.3 Confidentiality of information

All injury management information concerning a worker is confidential. Personal and health information is handled in accordance with section 243 of the *Workplace Injury Management and Workers Compensation Act 1998*. Such information relating to workers can only be made available to employers and other parties in accordance with WorkCover’s Guidelines and Operational Instructions and only after the worker has signed an appropriate consent form, such as a claim form or WorkCover Certificate of Capacity, to authorise release of the information.

APPENDIX A

RETURN TO WORK PROGRAM TEMPLATE

Return to Work Program

COMPANY: _____

DATE: _____

1. Our Commitment

We _____ are committed to the safe return to work of our workers.
(name of organisation)

We will;

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

2. Our procedures

1. Notification of injuries

- Must be notified to the supervisor as soon as possible.
- Are recorded in our Register of Injuries.
- Are notified to CGU within 48 hours.

2. Recovery

We will ensure the worker receives appropriate first aid and/or medical treatment as soon as possible. We will openly communicate with the doctor whom the worker nominates as the treating doctor responsible for his/her medical management and return to work planning.

3. Return to Work

We will;

- arrange a suitable person to explain the return to work process to the worker,
- offer the worker the assistance of a WorkCover approved workplace rehabilitation provider if it becomes evident they are not likely to resume pre-injury duties, or cannot do so without changes to the workplace or work practices,
- arrange for the worker's return to work, subject to medical and rehabilitation provider advice.

We have nominated two (2) preferred WorkCover approved workplace rehabilitation providers:

Name:		Name:	
Company:		Company:	
Telephone:		Telephone:	
Email:		Email:	

4. Suitable Employment

When the worker, according to medical advice, is capable of returning to work we will develop an individual Return to Work Plan. We undertake to provide suitable employment opportunities consistent with medical advice which are meaningful, productive and appropriate for the worker's physical and psychological condition depending on individual circumstances. Our suitable employment roles may be;

- at the same worksite or a different worksite,
- full time or part time,
- the same job with different hours or modified duties,
- a different job.

5. Dispute Resolution

If disagreements about the Return to Work Program or suitable employment arise, we will work together with the worker and representative union to resolve them. If unable to resolve the dispute, we will involve CGU, approved workplace rehabilitation provider, the treating doctor or an Injury Management Consultant.

6. The Rights and Obligations of Workers

A worker has 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.

At the same time you must;

- make reasonable efforts to return to work in suitable employment or pre injury employment,
- take care to prevent work injuries to yourself and others,
- be actively involved in the planning of your return to work,
- 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 CGU if you secure employment or if you earn extra income from your job while receiving weekly payments,
- attend medical and rehabilitation assessments,
- cooperate in workplace changes that will assist other workers.

If you do not comply with your Injury Management Plan, our insurer (CGU) may suspend your entitlements.

Reference: www.workcover.nsw.gov.au Standard Return to Work Program

7. Company Contacts

Name:		Name:	
Company:		Company:	
Telephone:		Telephone:	
Email:		Email:	

8. Insurance Company Contacts

Our workers compensation insurer is CGU Workers Compensation:

Ph: 1300 666 506

GPO Box 9960

Sydney NSW 2001

www.cgu.com.au/workerscompensation

9. Other Contacts

WorkCover Customer Service Centre 13 10 50

WorkCover www.workcover.nsw.gov.au

Workers Compensation Commission www.wcc.nsw.gov.au

NSW Legislation www.legislation.nsw.gov.au

RETURN TO WORK PLAN

IF YOU REQUIRE ASSISTANCE COMPLETING THIS PLAN, PLEASE REFER TO CGU'S EMPLOYER'S GUIDE TO DEVELOPING A RTW PLAN

Date of plan commencement / / Date of plan review

Return to Work (RTW) plan number (1) (2) (3) (4) (5) (6)

Worker's name Claim number

In NSW, it is the responsibility of the employer to develop a RTW Plan in consultation with your worker. Where required, CGU assist you in the development of these plans. You must ensure CGU has a copy of the worker's most current RTW Plan at all times

This RTW Plan has been developed to guide the worker's recovery from injury and to ensure the return to work process is safe. The plan outlines the worker's treatment, suitable employment, timeframes and steps to be taken to support the worker's return to pre-injury duties (unless otherwise stipulated.)

Employer Pre injury job title

Work location Postcode

Pre injury days	Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total
Pre injury hours	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Description of pre injury duties - e.g. store person in warehouse

Physical requirements associated with the task - e.g. reaching above shoulder height to retrieve stock weighing up to 5kgs

Return to work goal Date expected to achieve RTW goal

Current certificate of capacity Start date / / End date / /

Current capacity (as per certificate of capacity)

The worker is encouraged to:

- Attend the nominated treating doctor to obtain a current certificate of capacity
- Notify the employer as soon as possible if unable to attend work or is encountering any difficulties attending to this RTW Plan prior to expiry or prior to next review date

Suitable employment is made up of temporary tasks agreed to between you and your worker. They take into account the worker's capacity for work (as per the certificate of capacity), whilst the worker recovers from injury. Providing suitable employment for your worker assists the worker's rehabilitation by maintaining a link to the workplace.

SUITABLE EMPLOYMENT (STAGE 1)

Suitable employment role

Location

Postcode

Commencement date

Completion date

Person monitoring RTW

Phone number

RTW days

Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total

RTW hours

Duties to be performed and considerations

Specific duties to be avoided

SUITABLE EMPLOYMENT (STAGE 2) may require medical approval prior to commencement

Suitable employment role

Location

Postcode

Commencement date

Completion date

Person monitoring RTW

Phone number

RTW days

Mon	Tues	Wed	Thur	Fri	Sat	Sun	Total

RTW hours

Duties to be performed and considerations

Specific duties to be avoided

Treatment arrangements - where possible, appointments to be scheduled outside work hours, unless agreed to by employer

Treatment type

Appointment dates/times

Treatment type

Appointment dates/times

The following parties have agreed to this RTW Plan. Please provide a copy of this RTW Plan to the worker's nominated treating doctor and treating therapist to ensure all healthcare is coordinated. **You must provide CGU with a copy of this RTW Plan.**

Worker - Signature

Date

Employer representative - Signature

Date

Nominated treating doctor - Signature

Date

Ph: 1300 666 506
GPO box 9960, Sydney NSW 2001
WCNSWClaims@cgu.com.au



CGU Workers Compensation (NSW) Limited
Agent for the NSW WorkCover Scheme
ABN 83 564 379 108/007

EMPLOYER'S GUIDE

TO DEVELOPING A RETURN TO WORK (RTW) PLAN



Evidence suggests it is essential for the return to work process to commence promptly following workplace injury. The sooner open dialogue commences, the greater the likelihood of your worker successfully returning, where appropriate, to his/her normal job.

As an employer, the most important role you play in helping your worker return to work in a timely manner is to provide suitable employment. We know that with you supporting the worker's performance of suitable employment, recovery is hastened. Rehabilitation at the workplace with the intention of progressing to pre-injury duties can then occur as soon as it is safe to do so.

Developing the RTW Plan

A RTW Plan must be developed for all workers who are certified with a work capacity and have returned to work. However, even whilst the worker is certified with no work capacity, it is recommended that suitable employment opportunities are considered in readiness for the worker's return. The RTW Plan can be developed by a trained return-to-work coordinator, or an accredited workplace rehabilitation provider in consultation with the worker and their Nominated Treating Doctor (NTD).

The RTW Plan must be based on the current WorkCover certificate of capacity and capabilities outlined by the NTD.

When developing your worker's RTW Plan, consider the following:

- any special needs of the worker
- the personal circumstances of the worker which may impact on ability to undertake suitable employment
- industrial issues within the worksite
- impact on the workload of other workers
- training required to undertake suitable employment tasks.

You will find enclosed a CGU template of the Employer's RTW Plan. We have produced this pro-forma to assist you to develop the plan in consultation with your worker and his/her NTD.

You must provide CGU Workers Compensation with a copy of the most current RTW Plan

We also provide guidelines to assist you to develop the RTW Plan but if you require additional assistance, please contact your CGU case manager.

Some guidance to assist you develop the RTW Plan

1. Description of pre-injury duties

A list of the worker's pre-injury duties provides a clear picture of the goal of the RTW Plan. In selecting suitable employment, consider this list against the WorkCover certificate of capacity in the first instance, to determine what the worker is currently capable of performing.

List also the physical requirements for each duty or task, such as:

- weights to be lifted, pushed or transferred
- repetitions and durations for tasks
- postures adopted
- the environment and necessary personal protective equipment.

2. The worker's RTW goal

The goal of the return to work process in the first instance is for the worker to return to the duties he or she was performing prior to the workplace injury. The RTW goal should be determined in consultation with the worker and NTD to ensure all parties aim for the same goal.

If you require assistance with this consultation, please contact CGU

Once you, the worker and NTD agree on the goal, it is important to clarify the anticipated date by which it is expected the RTW goal will be achieved. If the worker or NTD are unable to comment on, or cannot commit to, a date when the worker can return to pre injury duties, please contact CGU to discuss.

The agreed RTW goal should be as specific as possible. For example, Mr Smith is to return to work on pre-injury duties as a waiter in the XYZ Cafe.

3. Current certificate of capacity

It is important to ensure the worker is always covered by a current WorkCover certificate of capacity. The worker's RTW Plan must be developed, upgraded and reviewed in accordance with the review dates set on this certificate.

If the certificate of capacity is unclear, or the NTD's advice is not specific with regard to the worker's capabilities, we advise you to contact the NTD and seek clarification. In this situation, you might consider providing the doctor with your proposed RTW Plan outlining available suitable employment and the associated duties, for review and consideration.

Alternatively, a workplace representative could attend the next medical appointment with the worker to clarify which roles you can offer and discuss if the associated duties are appropriate.

The RTW Plan must include the worker's stated capabilities and working hours as per the current WorkCover certificate of capacity. The start and end date for the current certificate must also be clearly stated on the RTW Plan.

4. Suitable employment

As outlined in CGU's Injury Management Program, employers must comply with section 49 of the 1998 Act, which requires that:

"An employer will provide suitable employment when an injured worker is able to return to work, either on a full time or part time basis."

Section 32A of the Workers Compensation Act (1987) defines suitable employment as:

"*Suitable employment*, in relation to a worker, means employment in work for which the worker is currently suited, having regard to the following:

- the nature of the worker's incapacity and the details provided in medical information
- the worker's age, education, skills and work experience
- any plan or document prepared as part of the return to work planning process
- any occupational rehabilitation services that are being, or have been, provided to or for the worker
- such other matters as the WorkCover Guidelines may specify

5. How you can identify suitable employment

We advise our employers to utilise the worker's WorkCover certificate of capacity as a starting point in developing a list of duties that might form part of suitable employment for your worker to perform.

Suitable employment may include:

- parts of the job the worker was doing before the injury
- the same job, but on reduced hours
- different duties all together or at a different site consolidated under one role
- training opportunities
- a combination of some or all of the above.

To identify roles that may be suitable, consider the following questions:

- Can the pre injury duties be modified or redesigned?
- Can the work practices be changed?
- Can the worker work with a co-worker to complete a task?
- Can the worker perform all tasks for reduced hours?
- Can the same job be performed in a different area/place?
- Can the worker supervise new staff?
- Can the worker learn new skills to complete other tasks?
- Are there any special projects with which the worker can assist?

Once you have identified a suitable employment role, list the associated duties on the RTW Plan detailing considerations based on medical capabilities and requirements as above.

All appropriate parties should be consulted in the development of, or changes to, suitable employment tasks. Consultation on suitable employment tasks should include, where applicable:

- the worker and his/her NTD
- the return to work co-ordinator (or employer's representative)
- the worker's line supervisors (usual and proposed)
- the workplace rehabilitation provider (where involved)
- any industrial union representing the worker (current and potential).

6. Treatment arrangements

This is a list of the likely medical and treatment appointments the worker will attend during the period of this RTW Plan.

Detailing this information sets the worker's expectation of compliance with treatment, review of progress and scheduling for suitable employment and hours of work. Where possible the worker is to attend appointments outside of work hours or as negotiated with the supervisor.

7. Reviewing and monitoring the RTW Plan

The RTW Plan must indicate the person responsible for reviewing and monitoring the worker's return to work process.

We advise that:

- the worker is instructed to update the supervisor on a weekly basis as to progress, in line with the RTW Plan
- regular discussions occur with the worker about appropriate plan upgrades.

You should review the RTW Plan on a regular basis to ensure the worker progresses toward pre injury duties and does not remain on suitable employment for longer than necessary.

Plan upgrades should be in line with the worker's capabilities as indicated on the WorkCover certificate of capacity and could involve increased hours, the introduction of further suitable employment tasks, as the worker's capacity increases.

At each review point, and in accordance with medical advice, consider if the RTW Plan can be upgraded.

If you and your worker agree the RTW Plan can be upgraded and the worker is capable of increasing hours and tasks, we advise you discuss this with the NTD prior to the worker's next review. Upgrades to the RTW Plan should be discussed and agreed to by you, the worker and the NTD.

Agreement to the RTW Plan

All parties should state their agreement and understanding of the developed RTW Plan by signing and dating the plan. A copy of the RTW Plan must be provided to CGU and supplied to the worker, NTD, supervisor and treatment provider.

Further assistance

If you encounter difficulties identifying suitable employment tasks for your worker, or your worker reports any problems attending to the RTW Plan, the services of a workplace rehabilitation provider may be required.

Please contact your CGU case manager promptly to discuss your workplace's rehabilitation and return to work requirements.

If you are a small employer, you might like to visit our web site www.cgu.com.au to view CGU's Small Employer Toolkit. This resource provides all that you need to know about worker's compensation and the RTW process.

Some of the above information has been compiled from brochures available from the WorkCover NSW web site. You can access further information on www.workcover.nsw.gov.au

Ph: 1300 666 506
GPO box 9960, Sydney NSW 2001
WCNSWClaims@cgu.com.au



CGU Workers Compensation (NSW) Limited
Agent for the NSW WorkCover Scheme
ABN 83 564 379 108/007

CONTACT DETAILS

Phone 1300 666 506

Mailing address

GPO Box 9960 Sydney NSW 2001



[CGU.COM.AU/WORKERSCOMPENSATION](https://www.cgu.com.au/workerscompensation)



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