



## Return to Work Program

### 1. *Introduction*

These rules define the minimum standards to:

1. The Return to Work Program has been produced in line with the Guidelines for workplace return to work programs March 21, State Insurance Regulatory Authority (SIRA)
2. Detail the minimum requirements for the development of rehabilitation procedures to meet legislated requirements and support and assist in the early return to work of employees to safe and suitable duties, at the highest possible level of function.
3. Comply with the requirements of the WHS Act 2011 and Regulations 2017, Workplace Injury Management and Workers Compensation Act 1998 No. 86, Workers Compensation Act 1987 (NSW).

### 2. *Leadership and commitment*

Kemps Creek Sporting & Bowling Club is committed to the prevention of workplace injury and illness through providing a safe and healthy working environment for its employees. If an employee does sustain a work-related injury or illness, our policy is to ensure that the rehabilitation process is commenced as soon as possible after an injury or illness.

Rehabilitation programs will be individually developed for the injured or ill employee and co-ordinated by the WHS Manager, in consultation with the employee, employer and other relevant parties.

Whenever possible, suitable, selected or alternate duties will be offered to ensure the worker can recover at work as soon as practical.

Kemps Creek Sporting & Bowling Club is committed to consulting with our employees and their representatives to ensure that the rehabilitation program is effective.

Kemps Creek Sporting & Bowling Club is committed to establishing and maintaining a positive safety culture that promotes recovery at work.

These rules form part of Kemp's Creek Sporting & Bowling Club's overall Safety Management Plan. All elements such as incident report forms, recover at work plans and other sources to support these rules are found in this system.

### 3. *Definitions*

<b>Return to Work Co-ordinator</b>	<p>The nominated person to co-ordinate the treatment and return to work of an employee after a workplace injury or illness.</p> <p>The nominated Return to Work Co-ordinator shall have successfully completed the State Insurance Regulatory Authority (SIRA) Return to Work Co-ordinator's course.</p>
<b>Workplace Rehabilitation</b>	<p>The combined and co-ordinated use of medical, social, psychological, educational and vocational measures to restore function or to achieve the highest possible level of function of persons at work following injury and illness.</p>
<b>Rehabilitation</b>	<p>A managed process involving early intervention with appropriate, adequate and timely services based on assessed needs and aimed at maintaining injured or ill workers in or returning them to suitable employment.</p>
<b>Injury management program</b>	<p>Co-ordinated and managed program that integrates all aspects of injury management (including treatment, rehabilitation, retraining, claims management and employment management practices) that must be established by the insurer.</p>
<b>Return to Work Program</b>	<p>The workplace policies and procedures for rehabilitation of injured workers.</p>
<b>Medical Treatment Injury(MTI)</b>	<p>Medical Treatment Injury (MTI) is an injury or disease that resulted in a certain level of treatment (not First Aid Treatment) given by physician or other medical personnel</p> <ul style="list-style-type: none"><li>• Use of prescription medication, except a single dose administered on a first visit for minor injury or discomfort;</li><li>• Therapeutic (physiotherapy or chiropractic) treatment, more than once;</li><li>• Stitches, sutures (including butterfly adhesive dressing in lieu of sutures);</li><li>• Removal of dead tissue or skin (surgical debridement);</li><li>• Treatment of infection or application of antiseptic during a second or subsequent visit to medical personnel</li><li>• Removal of foreign objects embedded in an eye or wound (not small splinters);</li><li>• Treatment of deep tissue (second or third degree) burns;</li><li>• Use of hot or cold soaking therapy during the second or subsequent visit to medical personnel;</li><li>• Positive x-ray diagnosis of fractures, broken bones and etc; or</li><li>• Admission to hospital or equivalent medical facility for treatment</li></ul>
<b>Recover at Work Plan</b>	<p>An individual plan based on medical advice, which can include suitable duties and work conditioning outside employment.</p>

<b>Significant injury</b>	A workplace injury that is likely to result in the worker being incapacitated for a continuous period of more than 7 days, whether or not any of those days are work days and whether or not the incapacity is total or partial or a combination of both.
<b>Lost Time Injury (LTI)</b>	Occupational injury or disease that results in day(s) away from work on a shift subsequent to that on which the injury occurred.  Note that the day(s) lost as a result of a workplace injury does not have to have been the next rostered work day to result in classification as a LTI – any subsequent day(s) lost will result in the incident being classified as an LTI. The LTI is to be allocated to the date on which the injury was incurred.  A fatal injury is counted as a lost time injury and has a severity of 12 months applied.
<b>Restricted work injury (RWI)</b>	Occupational injury or disease where, as a result, (1) the employee was assigned another job on a temporary basis, or (2) the employee worked at a permanent job less than full time, or (3) the employee worked at his or her permanently assigned job but could not perform all the duties normally connected with it.  Restricted work activity occurs when the employee, because of the job-related injury, is physically or mentally unable to perform all or any part of his or her normal assignment during all or any part of the normal workday or shift.
<b>Restricted duties</b>	Duties that are based on matching job tasks to recovering abilities i.e. they are temporary not permanent and it is expected that they will lead to return to own job. Restricted work may take a number of forms e.g. Graduated return to work, modifications to normal role, or alternative roles. Restricted duties are sometimes referred to as Alternate or Suitable Duties.
<b>Treating Doctor</b>	The doctor chosen by the employee to treat their injury
<b>Accredited Rehabilitation Provider</b>	Multi-disciplinary team of health professionals e.g., physiotherapists, occupational therapists etc. who provide workplace-based services and are accredited with the SafeWork Authority of New South Wales. In most cases the accredited rehabilitation provider is Actevate Pty Ltd, however other accredited rehabilitation may be chosen.
<b>References</b>	WHS Act 2011 & WHS Regulations 2017 Workplace Injury Management and Workers Compensation Act 1998 Workers Compensation Act 1987 (NSW) Workers Compensation Legislation Amendment 2012

## 4. Workplace arrangements

### Return to Work Coordinator Details

Kemps Creek Sporting & Bowling Club's injury management is coordinated by the Return to Work Coordinator in conjunction with the WHS Manager.

Kemps Creek Sporting & Bowling Club nominates Stacey Stevens Assistant Secretary Manager as their Return to Work Coordinator.

P: 02 9826 1375

E: [johnh@kcsb.com.au](mailto:johnh@kcsb.com.au)

### Workplace Rehabilitation Provider

Kemps Creek Sporting & Bowling Club's approved workplace rehabilitation provider is Actevate Pty Ltd, but we also use other rehabilitation providers that are recommended by Club Employers Mutual Limited



[www.actevate.com.au](http://www.actevate.com.au),

T (02) 9222 7400 F 02 8088 6007

### Consult with workers and unions

Kemps Creek Sporting & Bowling Club is committed to protecting the Health & Safety of all employees. To ensure the health and safety of all employees, the company will involve and consult with employees and service providers so that effective decisions on WHS related matters, such as work practices and systems of work, can be made.

The consultation method is "other agreed arrangements" being toolbox talks, safety alerts and a WHS noticeboard on sites. All documentation, including this Return to Work program, is available to all workers electronically via email.

### Communication and Training Arrangements

Kemps Creek Sporting & Bowling Club will train all workers on the Return to Work process via the following method

**Safety Induction** – all workers are required to sit a safety induction before starting work, in which the information in this Return to Work Program will be made available.

**Staff meetings** – all workers will also review and discuss the Return to Work Program on a regular basis at and staff meetings and email broadcasts.

## Monitoring, review and display arrangement

Kemps Creek Sporting & Bowling Club will review the Return to Work Program and associated documentation every 2 years.

The documentation will be to all workers and displayed on Kemps Creek Sporting & Bowling Club's website as well as the Notice Board in the Staff Room.

The Return to Work Program will be monitored and reviewed for effectiveness continually, in consultation with all relevant parties.

## 5. *Rights and obligations*

The rights and obligations of an injured staff member and other key stakeholders in the staff health support process, is outlined below.

### Injured or ill worker

- If medical treatment is necessary, seeking appropriate treatment as soon as possible after the incident.
- Notifying that an incident or injury has occurred within 24 hours.
- Cooperating with employer to prevent any further injury to self and others.
- Being actively involved in their recovery for work program, which includes:
  - Specifying one nominated doctor or medical practice who is prepared to participate in the development and implementation of a Recover at Work Plan
  - Giving consent for employer to obtain information from treating medical professionals for the purposes of a Recovery at Work Plan
  - Participating and cooperating in the establishment of the initial and subsequent Recover at Work Plan
  - Making all reasonable efforts to return to work as soon as possible
  - Advising of any difficulties with the Recover at Work Plan as soon as practical to prevent delays in addressing any problems
  - Maintaining regular contact with their manager and Return to Work Coordinator to keep them informed of their condition, treatment and recovery
  - Participating in medical case conferences with their treating doctor, Return to Work Coordinator and EML
  - Obtaining regular medical certification at intervals no greater than 28 days
  - Complying with medical restrictions resulting from the work injury as obtained from the treating doctor

## Manager

- Investigating the incident, seeking to identify root causes and take steps to prevent reoccurrence.
- Ensuring that staff members under their supervision understand the process for reporting injuries.
- Committing to the company's RTW Program and supporting their staff in its implementation and management.
- Making suitable duties and adjustments available to injured staff who are certified fit for suitable duties (partially incapacitated) if reasonably practicable to do so.
- Comply with medical restrictions resulting from the work injury as obtained from the treating doctor.
- Advising the Return to Work Coordinator of any difficulties with the Recover at Work Plan as soon as possible.
- Making all reasonable attempts to ensure that the Recover at Work Plan is able to be sustained operational in the work area.

## Return to Work Coordinator

- Making initial contact with injured staff member once notification of the injury has occurred to discuss the seriousness of the injury and circumstances surrounding the injury, explain workers insurance process and identify initial return to work options.
- Notify icare\_ EML of the injury within 48 hours of an incident being notified.
- Educating staff about their rights and obligations with respect to their injury management plan and Recover at Work Plan.
- Facilitating the staff members' timely access to treatment as recommended by their treating doctor.
- Providing wages information (PIAWE) to EML within 7 days.
- Promote the benefits of work and the importance of recovering at work to the staff member.
- Develop an individual Recover at Work Plan if the staff member suffers an injury that affects their capacity to perform their pre-injury duties.
- Working with the staff member and their direct supervisor in identifying suitable duties and advising the staff member, treating doctor and EML on the requirements of the staff member's usual job and availability of suitable duties.
- Ensure the needs of the staff member and their injury are identified by means of appropriate triage and assessment.
- Identify barriers to recovery and return to work and collaboratively develop strategies to address these.
- Collaborate in the establishment of an Injury Management Plan (IMP) with the staff member and EML for an injured staff member and give effect to that plan at the workplace.
- Maintaining case files of each claim in a complete and confidential manner and securely stored.

## Employers Mutual Limited

Performing all claim management functions such as:

- Approving medical treatment and the payment of weekly benefits
- Managing the payment of reasonable necessary medical treatment
- reimbursing the company for the payment of weekly benefits
- Developing a meaningful Injury Management Plan (IMP) through consultation with the injured staff member, company and the doctor.
- Ensuring that all stakeholders understand and comply with their obligations under the IMP
- Finalising a claim
- Informing the injured staff member of their procedural and legislative obligations
- Within three working days of being notified that a staff member has sustained an injury, contacting the injured staff member, Return to Work Coordinator and treating doctor.
- within seven days of being notified of an injury, approve provisional payments of weekly benefits and medical expenses, or advise the staff member why they will not make payment
- ensuring that injured staff and treating doctors are made aware of their obligations in relation to applicable legislation and the insurer's injury management program
- informing the company of all liability and approval decisions

## Treating Doctor

- Promote the benefits of work and the importance of recovering at work to the staff member.
- Providing timely information to EML and Employer when request in relation to the Injury Management and Recover at Work Plan for the injured staff member.
- Appropriately completing Certificates of Capacity at intervals of no greater than 28 days.
- Arranging and monitoring reasonable and necessary medical treatment.
- Specifying the staff member's capacity for work and advising on the staff member's capacity for suitable duties.
- Review the progress of recovery and revise the staff member's medical management as needed.
- Be available for medical case conference with the staff member, EML and Company to discuss the staff members recovery, Injury Management and Recover at Work Plan

## 6. *After an incident*

### First aid and initial assistance to the injured worker

When there is an injury at work, the company must provide the injured worker with;

- first aid and/or transport to medical treatment
- completed incident report or register of injuries
- EML contact details (Club Employers Mutual Ltd)
- the Return to Work Coordinator contact details
- a claim form, if requested by the worker
- a recover at work plan, detailing suitable employment for the injured worker
- any assistance that will help the worker to recover and return-to-work quickly.

### Notification to icare/EML

The Return to Work Coordinator will report all injuries to the insurer within 48 hours of the injury.

The insurance Company details for claim registrations are as follows:

EML/icare – Phone notification: 13 77 22  
Email notification: [newpiclaims@icare.nsw.gov.au](mailto:newpiclaims@icare.nsw.gov.au)  
Website notification: <https://portal.icare.nsw.gov.au/lodgement/preliminary-info>

### Notification to SafeWork NSW

Kemps Creek Sporting & Bowling Club will contact SafeWork NSW (13 10 50) in the following situations;

- immediately for serious incidents involving injury or illness
- for serious incidents/accidents Kemps Creek Sporting & Bowling Club Management in conjunction with the site safety manager must action the Emergency Response Plan
- for incidents that are not immediately life threatening, such as exposure to specific substances, notify the insurer within two days.
- in most occasions it will be the WHS Manager who makes the call, or the General Manager if the WHS Manager is unavailable.
- management must also ensure the worksite is preserved for investigation purposes

### Injury Management

Kemps Creek Sporting & Bowling Club will provide the insurer with:

- date and description of injury, and details of how it happened
- Name, address and date of birth of the injured worker
- Name and address of the company
- Name of the treating doctor, or name of the hospital if the worker is hospitalised
- Name and contact details of the person making the initial notification, and their relationship to the worker or employer.



Kemps Creek Sporting & Bowling Club will forward to the insurer:

- a SIRA medical certificate of capacity, if provided by the injured worker, within two days
- ongoing medical certificates, receipts and accounts for medical or other treatment, within seven days.

The injured worker must do the following in the injury management process;

- seek medical attention,
- notify the employer (usually their direct supervisor) as soon as possible,
- record their details, the date and cause of the injury in an Incident Statement form ,
- sign the SIRA Certificate of Capacity certificate (if one is required) to:
  - indicate the doctor that has been chosen as the treating doctor, and
  - permit the treating doctor to release information to Kemps Creek Sporting & Bowling Club to help with injury management.
- participate and cooperate with the development and implementation of an injury management plan,
- comply with requests made by the Kemps Creek Sporting & Bowling Club's insurance company (this may include obtaining a SIRA Certificate of Capacity or completing a claim form), and make all efforts to return to work as soon as possible.

If the injured employee does not abide by the process set out in the Return to Work Program, the employer may seek advice in the dismissal of an injured worker within NSW law. Alternatively, if the worker is not able to return to work following a workplace incident, the employer may also seek advice in the dismissal within NSW law.

Employers Mutual Limited must do the following in the injury management process;

- contact the worker, the employer, and the treating doctor within three days, and consult with all relevant parties to ensure that the worker receives necessary assistance to recover and return to work,
- commence provisional liability payments of weekly benefits and medical expenses within seven days (unless a reasonable excuse exists),
- develop an injury management plan for a worker with a significant injury, and co-operate with its obligations under the injury management plan.

Employers Mutual Limited will have a 'reasonable excuse' to not start provisional liability payments if:

- there is not enough medical information to make the decision,
- the worker is unlikely to be considered a 'worker' under NSW workers compensation legislation,
- the company is unable to contact the worker, after repeated attempts,
- the worker refuses access to information,
- the injury is considered not work-related,
- the injury is not a significant injury (in these cases, decisions must be made within 21 days), or the injury was notified after two months of the date of injury

## Completion of Rehabilitation

Rehabilitation is deemed to be completed when one of the following criteria are met:

- medical advice indicates that the employee is sufficiently fit to resume normal duties.
- progress ceases on a rehabilitation plan without a return to full duties and medical advice indicates that further rehabilitation will provide no significant benefit to the condition of the employee

## 7. *Support for the worker*

Kemps Creek Sporting & Bowling Club will continue to support the injured worker until the worker is able to return to their pre-injury duties.

The worker will receive constant positive communication from their direct supervisor at minimum intervals of once per week.

Upon review of the injury by the Nominated Treating Doctor, The Borger Crane provide the worker with the “Consent form for representative authority” to allow Kemps Creek Sporting & Bowling Club to become actively involved in the management of the injury.

Weekly payment will be confirmed by the insurer after the successful lodgement of a “Pre-Injury Average Weekly Earnings (PIAWE)” form. Injured workers will be paid via the usual pay cycle. Certificates of capacity must be provided.

The worker must provide a current certificate of capacity at all times to your employer ensure no delays in payment of wages.

## 8. *Recovery at work*

### Identifying and providing suitable employment

Following initial assessment and treatment, an employee will be either fit to resume pre-injury duties, fit for suitable duties or unfit for work. This fitness for work will be stated by the nominated treating doctor on a Work Capacity certificate which must be provided to the Return to Work Coordinator immediately after it is issued. How these various fitness statuses are managed are set out below:

### Developing and maintaining a Recover at Work Plan for Light Duties/Suitable Duties

- a) Employees who are ill or injured may be fit for suitable duties:
  - From the time of onset of the illness or injury, or
  - Following a period of unfitness for work when subsequent improvement has occurred to the point where the individual has capacity to return to some form of work

- b) The Return to Work Coordinator, in consultation with the employee and supervisor (and/or Rehabilitation provider where applicable), will define and negotiate suitable duties based upon the review, recommendations and discussion with the treating doctor.
- c) The employee, their supervisor and the Return to Work Coordinator will meet before the employee returns to work and agree on the type of work and the hours of work to be performed, taking into account the availability of light/alternative duties
- d) Suitable duties could take different forms, for example the same duties but with reduced hours, or modified and/or alternative duties in the same or different work area. 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.
- e) The Recover at Work Plan, which documents the agreed suitable duties and a progressive upgrading program to allow a return to pre-injury duties. This document should be developed in consultation with the employee, their supervisor, the nominated treating doctor. A copy of this plan will be provided to all key parties
- f) At regular intervals, no greater than two weeks, the Return to Work Coordinator shall review the employees progress, preferably in the workplace
- g) Where uncertainty exists about the availability of suitable duties and the progress of an employee in the of Return to Work Program is slower than expected, the Return to Work Coordinator may consider the assistance of appropriate additional resources such as a Rehabilitation provider to consider job seeking or work trial opportunities.
- h) The workload impact on fellow workers of the employee being rehabilitated will be minimised
- i) When the employee returns to normal duties a return to 'pre-injury duties' medical certificate shall be obtained and filed with the employee's return to work file. The employee should return to performing all pre-injury duties from this time
- j) Employees must not undertake overtime until the organisation is satisfied that medical opinion clearly states that the employee is fully fit to resume the full requirements of the job for which they were employed

### **Unfit for Work**

- a) Where an employee is certified unfit for work by their Nominated Treating Doctor (NTD), the Return to Work Coordinator will liaise with the nominated treating doctor in order to *Plan* for a return to suitable work
- b) The RTW Coordinator and Supervisor shall maintain regular contact with the employee
- c) The RTW Coordinator shall maintain regular contact with the NTD to ascertain progress to facilitate a plan to return to work
- d) The RTW Coordinator will initiate the use of internal or external resources, as required, to facilitate a return to work, including an Accredited Rehabilitation Provider

### **Permanent Restricted Capacity**

- a) Where at any point it becomes clear that an employee will be unable to return to their pre-injury job but will be able to return to some gainful employment, consultation will begin with the employee and management. This will be to determine if there is a permanent alternative job which the employee will be able to perform once maximum capability has been reached. This permanent redeployment shall be a recognised and valid position within the organisation. A task description will be provided to the employee's treating doctor and written approval shall be given prior to the relocation of the employee to a new

position. Where permanent redeployment is undertaken, a new position description will be 'signed-off' by the employee to acknowledge a permanent change in employment.

- b) Should the provision of suitable alternative employment not be possible, management (after consultation with the Return to Work Coordinator and review of appropriate medical information) may consider action to terminate employment according to organisations procedures, site agreement and legal obligation (see Section 248 Workers Compensation Act, 1987). Management may also decide to continue the employment arrangement whilst the employee is job seeking.

### **Returning to work not to disadvantage worker**

- a) Kemps Creek Sporting & Bowling Club is committed to ensuring that the process of return to work will not disadvantage or discriminate against an injured employee.
- b) Any concerns regarding the Return to Work Program or Recover at Work Plan should be raised directly with the Return to Work Coordinator.
- c) Workers are not to be dismissed within six months of first day unfit as a result of a work-related injury.

## **9. *Dispute prevention and resolution***

To help promote fairness and order in the treatment of individuals in the workplace, Kemps Creek Sporting & Bowling Club are committed to resolving disputes and preventing any further issues during the recovery at work.

Injured workers are provided the right to have a support person throughout any disputes resolution discussion and in conjunction with the insurer, will come to an arrangement that is beneficial to both parties.

Kemps Creek Sporting & Bowling Club will:

- Seek help from the insurer or an approved workplace rehabilitation provider if the worker's recovery at work is difficult or progress has stalled
- Work with the worker and their representative to resolve any disputes, and seek help from the insurer if necessary

If there is a dispute, we will give the worker the insurer's contact details as well as the following useful contacts:

SIRA Customer Service Centre:

Phone 13 10 50 or visit [www.sira.nsw.gov.au](http://www.sira.nsw.gov.au)

Workers Compensation Independent Review (WIRO)

Phone 13 94 76 or visit [www.wiro.nsw.gov.au](http://www.wiro.nsw.gov.au)

Workers Compensation Commission (WCC)

Phone 1300 368 040 or visit [www.wcc.nsw.gov.au](http://www.wcc.nsw.gov.au)

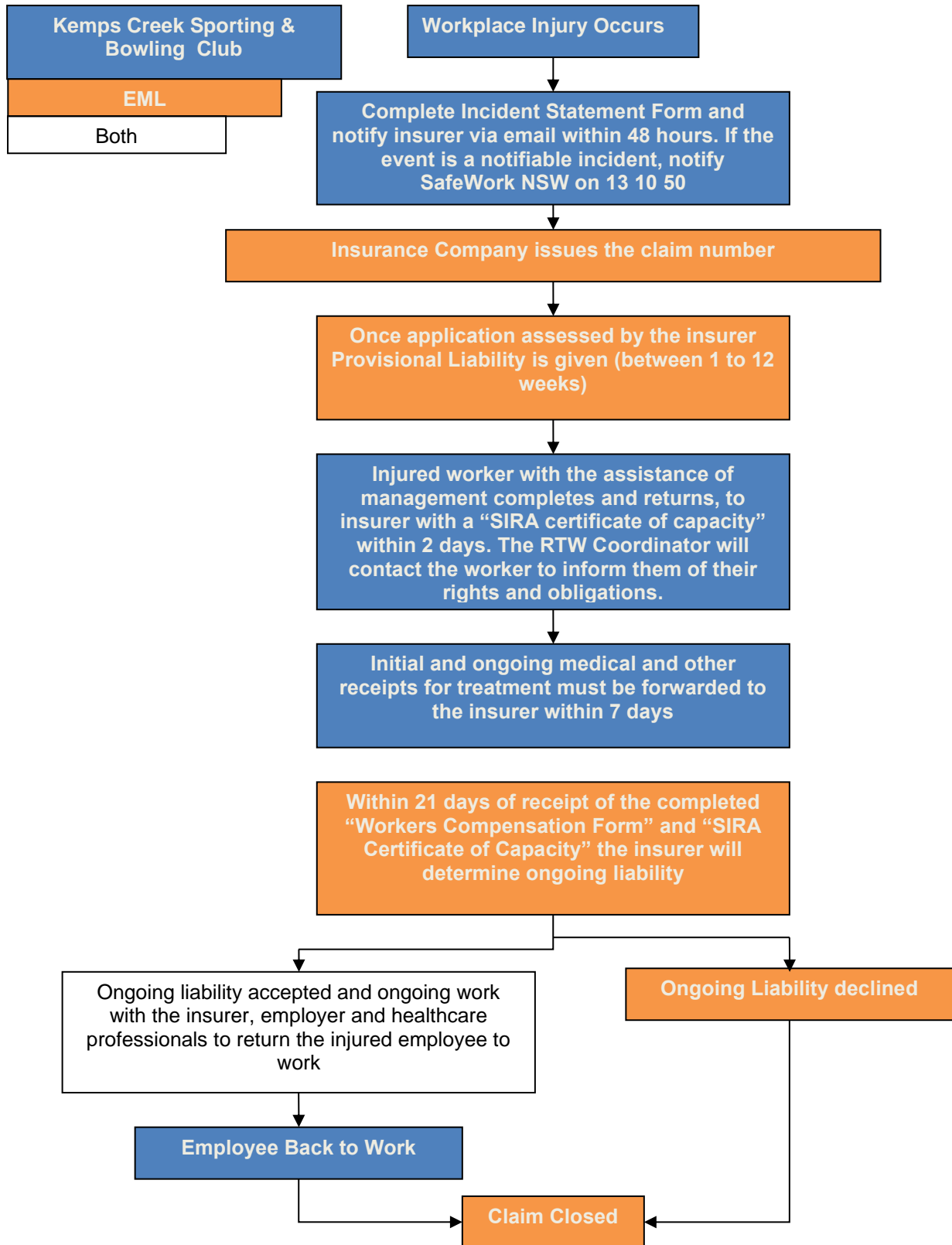
## 10. Administration

Return to work files, including electronically stored information from unauthorised access, interference, misuse, loss and theft are stored in lockable filing cabinets and computer access by authorised personnel only.

Kemps Creek Sporting & Bowling Club maintains workers "Return to Work files separate from personnel records in lockable filing cabinets with limited access.

- Section 243 of the 1998 Act, [Privacy Act 1988](#) (Cwlth), [Australian Privacy Principles](#) and [Health Records and Information Privacy Act 2002](#) (NSW)

## 10. Return to work program flow chart



## 11. Declaration

The parties have consulted and understand the procedures detailed in this recover at work program:

<i>Employer representative</i>			
Name	John Henry	Position	Secretary Manager
Signature		Date	
<i>Worker representative</i>			
Name	Kayla Orwin	Position	Floor Supervisor
Signature		Date	

Kemps Creek Sporting & Bowling Club will review our return to work program at least every two years. This program will be reviewed on 09/05/2021.