



Recovery/return to work procedure

Quality Area 7: Governance and Leadership		
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality Service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

1. Purpose

Warradale Community Children's Centre is committed to helping staff in recovering from a work injury to remain at or return to work. This procedure describes the process to support our staff and manage recovery/return to work.

2. Related documents

- 2.1 *Return to Work Act 2014* ('the Act')
- 2.2 *Return to Work Regulations 2015* ('the Regulations')

3. Recovery and return to work

3.1 Reporting of injury

A staff member should report the injury to the Director as soon as practicable, within 24 hours, in person or by phone.

The Director will immediately advise the return-to-work coordinator Poornima Radhakrishnan of the injury.

3.2 Injury pack

The coordinator will give the worker an injury pack and explain its content:

- Medical authority to exchange information with treating medical practitioners.
- Letter to send to the doctor.
- Worker's information rights, and responsibilities under the Act.

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3.3 Medical treatment

First aid will be provided onsite, if appropriate and available.

If immediate offsite treatment is needed the return-to-work coordinator (**or nominated person**) will accompany the worker to the medical clinic/hospital. At the appointment, support, return to work and suitable duties can be discussed with the doctor if permission is given by the worker.

If the worker is admitted to hospital, SafeWork SA must be informed.

3.4 Claim lodgment

The return-to-work coordinator (**or nominated person**) will help the worker lodge a claim via phone to the claim's agent on **13 18 55 (Monday – Friday; 8:30am – 5:00pm)**.

3.5 Identify suitable duties.

The coordinator will contact the treating doctor to clarify if capacity for work is unclear. The coordinator will meet with the staff and Senior/Director or Director to identify and agree on suitable duties. This will be done by phone, or a meeting will be organized.

The coordinator will document the suitable duties and may prepare a recovery/return to work plan.

3.6 Implementing return to work.

The coordinator will:

- Provide clear, accurate and current information on return-to-work arrangements.
- Engage interpreting and translating services, if needed.
- Ensure any necessary training is provided before undertaking modified/alternate suitable duties.

3.7 Monitor progress

The coordinator will review progress:

- When a new Work Capacity Certificate is received
- At significant milestones

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- When the worker provides new information that impacts on their ability to fulfil their role. Progress can be reviewed by:

- Visiting and/or meeting the staff member and Senior Director/Director in the workplace
- Convening or attending case conferences
- Staying in touch with the case manager, treating doctor and other medical providers.

Duties and/or hours of work will be adjusted if practicable to respond to any change in capacity for work.

3.8 Reports on return to work (refer to section 52 of the Act)

The coordinator will advise the claims agent in writing when a worker in receipt of income support:

- Returns to work after being totally incapacitated.
- When there is a change in earnings for a worker who is partially incapacitated.
- When there is a change in the type of work being performed.

3.9 Unable to return to pre-injury duties.

If it is proposed the staff member cannot return to pre-injury duties:

- Every effort will be made to identify and offer suitable duties.
- Suitable duties are supplied to aid recovery and promote return to pre-injury work.
- Undertaking suitable duties will be monitored/reviewed through the recovery/return to work plan.

If it is evident that the staff member cannot return to normal duties in the foreseeable future:

- Every effort will be made to identify and offer suitable employment, including:
 - Consider the worker's circumstances (work capacity, previous employment, age, education, skills, work experience and place of residence) and match them to roles that exist in the center.
 - Obtaining additional information if needed to assist, such as a functional capacity evaluation, worksite assessment and/or vocational assessment services.
 - Providing training and/or modifications to the workplace if required/recommended.
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The coordinator will:

- Discuss the need for any such return-to-work services with the claims agent.

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- Ensure all necessary training is provided before commencing any new suitable duties or employment.

3.10 Unable to identify suitable employment.

If suitable employment cannot be identified the claims agent MUST be notified in writing. The claims agent will consider the evidence as a result of the above activity, and.

- Decide if any other return to work services/assessments may be required.
- Review the recovery/return to work goal together with the worker and employer.

A review may also occur due to section 25(10) of the Act to consider whether new or other employment options for the worker need to be taken into account to assist a return to suitable employment.

If the worker believes the employer is not complying with the Act requirements for their retention, employment or re-employment, they may request ReturnToWorkSA to investigate (section 15(2) of the Act).

4. Other matters

4.1 Resolving grievances

Any issue regarded as unfair or against the intent of a successful recovery/return to work can be raised.

In the first instance the issue will be raised with Senior Director and Director will be responsible for following up and attempting to resolve the grievance.

The worker will be kept informed throughout the process and notified of the outcome in writing.

Issues relating to the provision of a service, or the retention, employment or re-employment of the worker may be raised directly with ReturnToWorkSA.

The Ombudsman may also consider issues, refer to <http://www.ombudsman.sa.gov.au/return-to-work/>.

***Note this does not include claim decisions made by the claims agent that have review rights to the South Australian Employment Tribunal. The *rights of appeal* section in these letters should be considered.

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4.2 Confidentiality

Information obtained during recovery/return to work will be treated with sensitivity and confidentiality.

The staff member will be requested to sign a Medical Authority to permit the coordinator to contact the worker's treating medical providers.

The employer will ensure that all personal and medical information relating to the worker is protected against loss and unauthorised access, use, modification or disclosure and against other misuse. Section 185 and 186 of the Act describes these obligations.

4.3 Case notes and records

The coordinator will keep secured, accurate and objective case notes for each worker's return to work.

Hard copy records will be kept in locked storage, or electronically, to only be accessible by the coordinator.

4.4 Information and training

Induction programs for new staff members will include recovery and return to work information.

The coordinator's details will be displayed on the staff room notice board.

Staff will be informed at staff meetings about the return to work procedure policy.

5. Responsibilities

5.1 Employer

- Inform Director and staff of their roles in the recovery and return to work process.
- Report a work injury to the claims agent as soon as possible; the agent will advise if a claim form needs to be completed and if a mobile case manager will be assigned.
- Participate and cooperate in the development of a recovery/return to work plan.
- Comply with any obligations set out in a recovery/return to work plan.
- Arrange suitable duties that can be performed safely whilst recovering from an injury.
- Provide suitable employment when the worker can return to work but cannot perform pre-injury work.

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- Support the return to work coordinator to perform their functions.
- Appoint contacts at each worksite to assist the coordinator to perform their functions.

5.2 Worker with a work injury

- Notify the Director of a work injury as soon as possible (within 24 hours if you can).
- Make a claim as soon as possible.
- Actively participate in activities designed to support your recovery and return to work.
- Participate and cooperate in developing a return to work plan.
- Comply with any obligations set out in your return to work plan.
- Provide current Work Capacity Certificates.
- Return to suitable employment when able to do so.

5.3 Return to work coordinator

The coordinator performs the following functions (section 26(4) of the Act):

- Assist injured to remain at work, or return to work as soon as possible, after injury.
- Assist prepare and implement recovery/return to work plans.
- Liaise with anyone involved in the return to work, or the provision, of medical services to the worker.
- Monitor the progress of the worker's capacity to return to work.
- Take steps to prevent the occurrence of re-injury.

5.4 Directors

- Make regular contact with the staff member to ensure that there are no issues or concerns.
- Meet with the staff member and return to work coordinator to review the staffs progress at agreed intervals.
- Advise the coordinator about any changes, issues or concerns immediately.
- Assist identify suitable duties to promote recovery and stay at and/or return to work.
- Ensure the worker does not work outside the capacity identified on the Work Capacity Certificate.
- Support and offer assistance as required.

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6. Review of procedure

Procedure to be reviewed annually updating any changes to the regulations and reviewing if the procedures have been implemented.

Approved by: Poornima Radhakrishnan Position: Director

Signature:

Date: 19/10/2022

Record of Policy Adoption and Amendment:

Version	Date	Details	Author	Next Review Date
1.0	17/9/19	Policy developed	Dian	August 2022
1.1	31/7/23	Edited senior director out and Dian's name. Adjusted and changed wording.	Pamela	31/7/24

Source

- *Return to Work Act 2014* ('the Act')
- *Return to Work Regulations 2015* ('the Regulations')