

Return to Work (RTW) Program Template

Introduction

All NSW employers must have a Workplace Return to Work Program (RTW Program) in place within 12 months of starting a business, and it must be reviewed every 2 years thereafter.

This template has been developed by **Trinity Insurance** to facilitate the development of a RTW Program for Category 1 Employers, i.e. those employers insured with a Specialised insurer who employ more than 20 workers. It is important to reiterate that this template is not all inclusive and should it be adopted to develop a Workplace RTW Program, employers **MUST** include information specific to their workplace in the areas highlighted in **red text** at a minimum. Further guidance in **green** text will be provided for sections that we are unable to template, including any areas where a business is required to provide information specific to their workplace.

For additional information on developing a Workplace RTW Program the following guidelines are available on the SIRA website:

[Guidelines for workplace return to work programs - SIRA \(nsw.gov.au\)](https://www.sira.nsw.gov.au/guidelines-for-workplace-return-to-work-programs)

These guidelines also include a helpful checklist that can be used to ensure that the Workplace RTW Program is aligned to the guidelines and complies with relevant workers compensation laws.

For further assistance you can also contact HII's Work Health and Safety team on:

P: 02 8251 9100

E: info@trinityinsurance.au

Version	Revision
1.0 (date)	

Glossary of Terms

RTW Return to Work

RAW Recover at Work (plan) – Employer to supply.

IMP Injury Management Plan – Insurer to supply.

NTD Nominated Treating Doctor

Employer Information

- **Employer Name:**
 - **ABN:**
 - **Business Address:**
 - **Contact Person:**
 - **Contact Phone:**
 - **Email:**
-

1. Introduction and connection to WHS Policy

The health and safety of all persons employed in and visiting the workplace is of utmost importance. At [Company Name], we are committed to providing a safe and supportive workplace. In the event of a workplace injury or illness, we are dedicated to facilitating the safe and sustainable return to work of all injured employees. This program compliments our WHS policy, which applies to all workers including those that may have been injured and recovering at work. *(Detail the nature of resources provided e.g. physical, financial and administrative support including training as relevant).*

The RTW program must show its connection to work health and safety (WHS) policies and procedures. It must detail how, following an injury, you will review your WHS policies and procedures to identify gaps and opportunities for improvement. For example:

- Consultation on WHS matters with workers.
 - Identify, assess and manage risks associated with the provision of suitable duties.
 - Training, instruction and supervision to workers.
 - Provision of resources and equipment to workers to perform duties safely.
 - Following an injury, review WHS policies and procedures to identify gaps and opportunities for improvement.
-

2. Leadership and Commitment

The RTW program must state the employer's commitment to help workers recover at work specific to that workplace. Organisations should also include their own commitments. For example, their commitment might include the following:

- Dedication to prevention of work-related injury and illness (and how you will do this).
- Commitment to the investigation of work-related injuries and illnesses.
- Commitment to early intervention of work-related injuries to support a safe and durable RTW (recovery at work).

E.g. Senior management at [Company Name] is committed to ensuring the health, safety, and welfare of all employees. Our leadership will:

- **Proactively support** injured workers in returning to work by providing adequate resources and fostering a positive return to work culture.
- **Demonstrate commitment** to the RTW process by ensuring that all managers, supervisors, and employees are informed of their responsibilities.
- **Integrate return to work principles** into our safety management systems.
- **Appoint a Return-to-Work Coordinator (if required)** to oversee the RTW process and ensure compliance with legislation and internal policies.
- Ensure **regular reviews** of the RTW Program to assess its effectiveness and compliance with the law.

3. Workplace Arrangements

3.1 Return to Work Coordinator (RTWC)

Our return-to-work co-ordinator(s) *is/are*:

Name:

Contact:

Role:

He/she/they are responsible for:

- Developing, coordinating, and monitoring the RTW Program.
- Liaising with all relevant stakeholders (injured worker, treating doctor, insurer, and employer).
- Maintaining confidentiality of the injured worker’s medical and personal information.

3.2 Rehabilitation Provider (if applicable)

The following accredited **rehabilitation provider(s)** are available to assist in the rehabilitation of workers who suffer a workplace injury/illness. Alternatively, the injured worker may nominate their own preferred rehabilitation provider and NTD. The process for nominating your own Rehabilitation Provider is to provide their contact details to your Return-To-Work co-ordinator so a referral can be made on your behalf. This will allow (company name) to ensure the unique needs of our workplace and your role are fully understood by the provider, and so we can provide reasonable access to the workplace if required by the provider.

(Name)	(Address)	(Contact Details)
(Name)	(Address)	(Contact Details)

The following **medical practitioner(s) or practice(s)** are available to assist in the RAW Plan

(Name)	(Address)	(Contact Details)
(Name)	(Address)	(Contact Details)

3.3 Consultation and review

Our consultation process promotes a positive culture around recovery at work and workers compensation and gives everyone an opportunity to influence policies and procedures.

(Company name) consulted with our workers when developing this RTW program and considered the needs of all our workers when doing so. This is to ensure all our workforce was able to participate equally.

(Explain here how you consulted with your workforce, e.g. through a WHS Committee or their representatives, unions, or other means).

The RTW Program will be reviewed every 2 years in consultation with *(WHS Committee, unions, etc.)* via *(method used e.g. meeting, email, survey, online meeting).*

3.4 Implementation, training display

This plan will be made available on *(outline where you will be storing the plan: website, paper folder, etc.)* and will be provided to employees on request and when a Workers Compensation claim is made.

New employees will be trained on the RTW Program as part of their induction/orientation. The RTW Program will also be communicated annually during the *(town hall, CEO update, etc. – outline which method the program will be communicated to the workforce).*

Information and details of our RTW co-ordinator, our Insurer and their contact details is available on SIRA's "If you get injured at work" poster, which is displayed *(detail where this poster is displayed in your workplace).*

4. Rights and Obligations

4.1 Employer's Rights and Obligations

- Ensure all employees are informed about the RTW Program and understand the procedures following an injury.
- Provide injured employees with suitable duties when possible to facilitate a safe return to work.
- Report injuries to the insurer within 48 hours as per SIRA regulations.
- Protect the privacy of the injured worker by ensuring that only relevant personnel have access to personal and medical information.

4.2 Employee's Rights and Obligations

Employees are obliged to:

- Notify their employer as soon as possible after a work-related injury occurs.
- Participate and cooperate in establishing an injury management plan.
- Carry out the actions such a plan requires of them.

- Authorise their nominated treating doctor to provide relevant information to their insurer or employer using the certificate of capacity, claim for or other form of authority.

Employees have the right to:

- Nominate their own treating doctor.
- Employment that is both suitable and, so far as reasonably practicable, the same as or equivalent to their pre-injury employment.
- Be consulted and involved in identifying suitable work and developing their recover at work plan.
- Privacy and confidentiality.
- Access mechanisms for resolving complaints and disputes.

Employees will be notified of these rights and obligations when they are provided with a copy of this program at the commencement of their workers compensation claim. *Employees are also provided a copy of this program when completing their yearly compulsory WHS compliance module (amend to your businesses practice).*

4.3 Insurer's Obligations

- The insurer must be notified within 48 hours of an injury and must support the injured worker and employer throughout the RTW process.
- They must coordinate with all stakeholders and facilitate communication between the employer, worker, and treating practitioner.

4.4 RTW Coordinator Obligations

(Detail duties e.g. the proper management and coordination of the RTW Program; ensuring prompt delivery of first aid attention; referral to the company Doctor and / or the NTD as soon as possible; advising the worker of their rights, obligations and dispute processes; obtaining informed consent for exchange of information between the injured worker and support team regarding the worker's injury, ensuring that the injured worker is aware of the support they are entitled to from the Employer; ensuring HII is advised of any incident, development and implementation of a RAW Plan in consultation with the injured worker, HII, the supervisor, the NTD and any other member of the Employers support team; ensuring continuity of wage payments, visiting the injured worker and / or their NTD, etc. N.B: the duties need to be specific for the Employer).

(Include details of the training that the RTW Coordinator has undertaken, e.g. The RTW Coordinator has received training for this role via the SIRA developed RTW Coordinator training online).

(Consider including information about the RTW Coordinator being the key contact point for the Program e.g. The RTW Coordinator acts as the focal point for support and liaison between the injured worker, (Company name), the insurer, treatment providers, and any other relevant parties and will maintain regular communication with the injured worker and other relevant parties throughout the term of the injury.

(Include details on how confidential information and injury records will be handled, e.g. as the RTW Coordinator may be in receipt of confidential information associated with the injury, all records relating to the injury will be maintained in a separate location and access will be restricted to the RTW Coordinator and senior management staff (if applicable)).

(Consider including details of what steps management and /or supervisors have undertaken re the Program e.g. Management have undertaken training in the principles of RTW using relevant modules from the SIRA RTW Coordinator training or other appropriate courses to increase their understanding, commitment and ability to support the injured worker during his / her recovery at work).

4.5 Leadership team obligations

In the event that an injury occurs, a management team's role within workers compensation is important to the success of a worker's recovery at work. Early and regular support from an employer has a positive impact on their worker's recovery at work. *(Company)* leaders have responsibilities and obligations under NSW workers compensation legislation. They are required to:

- Ensure the organisation has a valid workers insurance policy (certificate of currency).
- Employ a nominated RTW co-ordinator with relevant skills, experience and training, who will regularly communicate with the workers and their support team.
- Display the 'If you get injured at work' poster which explains what to do and who to contact if a worker gets injured at work.
- Ensure a fully compliant RTW program is available to all employees and is easily accessible.
- Ensure the organisation has and maintains a register of injuries.
- Inform the RTW coordinator of all workplace injuries and ensure that all injuries are notified to the insurer within 48 hours.
- Participate in the development of the workers injury management plan and comply with their obligations in the plan.
- Provide suitable work (so far as reasonably practicable) when a worker is able to return to work.
- Not dismiss a worker because of a work-related injury within six months from when the worker first became unfit as a result of the injury.
- If a worker is dismissed, they must inform the new employee that the worker may request reinstatement within 2 years.

The Case Manager:

The insurer / case manager coordinates all aspects of a worker's claim and is the primary contact for the worker and others involved in assisting the worker to recover at work. The information provided on the SIRA certificate of capacity allows the insurer / case manager to promptly organise necessary support and services for the worker.

The insurer / case manager:

- makes early contact with the worker, employer, and the nominated treating doctor after receiving notification of a claim to determine the assistance the worker requires.
- makes claims decisions.
- authorises and arranges payment for 'reasonably necessary' medical and related expenses.
- determines a worker's entitlement to weekly compensation payments and commences payments.
- assists the employer to meet their obligations to support the worker to recover at work.
- may arrange assessments or services to help determine a worker's capacity for work or identify suitable employment.

- is available to the worker and their support team throughout the workers claim to discuss any needs, barriers or issues that may impact on the workers recovery.
- approve medical treatment where applicable and schedule independent medical advice where required.
- monitor the progress of rehabilitation cases and complete formal case reviews where required.

The Nominated Treating Doctor (NTD):

The nominated treating doctor (NTD) plays a pivotal role as the primary coordinator of treatment services to a worker with a work-related injury or illness. The NTD assesses, diagnoses, and recommends treatment for a worker to help them recover. A worker has the right to choose their own doctor to help them with their recovery.

If a worker requires more than seven continuous days away from their usual duties they must nominate a treating doctor to assist with coordinating treatment, injury management and their recovery at/return to work. The NTD is often a worker's GP (General Practitioner), but it might be a specialist.

An employer may recommend a doctor to a worker, however, the worker has the right to choose their own NTD for the purpose of obtaining treatment and for their workers compensation claim.

The NTD will:

- provide immediate and ongoing medical intervention to help the worker recover.
- will recommend medical and any other treatment that will help the worker recover from their injury.
- communicates the workers treatment and recovery needs to the workers RTW coordinator and their support team.
- assess the workers capacity for work and document the workers capacity for work on the certificate of capacity.
- regularly review the certificate of capacity at least every 28 days. In some cases, this may be greater than 28 days.
- work with the insurer and employer to develop the workers Injury Management Plan.

5. After an Incident

5.1 Immediate Response

It is to be reported immediately to the injured worker's supervisor and RTW Coordinator. They will be responsible for ensuring that the injured person receives first aid and if required, referral for treatment by a doctor or medical assistance as soon as possible. The RTW co-ordinator is also required to notify our insurer (**insurer name**) within 48 hours of receiving report of a work-related injury. This reporting will be completed via their portal on (**website**).

If there is a "serious injury or illness, a death or a dangerous incident", as defined by SafeWork NSW, it must also be notified immediately to SafeWork NSW on phone number - 13 10 50 by the

RTW Coordinator or other management representative. (For definitions see SafeWork NSW website - www.safework.nsw.gov.au).

All incidents and injuries must be recorded in our **register of injuries (use the specific name of the register applicable to your business)**. The register is (written/electronic) and ensures all incidents are properly documented. As part of our RTW program, employees will be informed of the procedure for completing the register during initial safety inductions and regular refresher training sessions. Clear instruction will be provided on how to access and fill out the register, ensuring compliance and prompt reporting of a work-related injuries or illnesses.

5.2 Investigation

- A workplace investigation will be conducted to identify the cause of the incident and implement measures to prevent reoccurrence.
- The worker's supervisor and safety officer will be involved in the investigation, and the injured worker's input will be sought where appropriate.

6. Support for the Worker

6.1 Emotional and Practical Support

[Company Name] understands the potential physical, emotional, and financial impact of workplace injuries. We are committed to:

- Offering emotional support, including referral to counselling services if required.
- Ensuring injured workers maintain **regular contact** with the workplace to avoid isolation.
- Providing **assistance with paperwork** and communication with the insurer.

6.2 Workers' Compensation

Injured workers will be informed of their entitlements under the Workers' Compensation scheme, including medical expenses, weekly benefits, and support services. Our RTWC will assist in liaising with the insurer to ensure claims are processed efficiently.

6.3 Weekly Benefits

Part of the Compensation process may include payment of weekly benefits, whilst an injured worker is unable to work, or can only work part of their normal hours. (Company name) will provide the insurer with the required information to enable them to calculate pre-injury average weekly earnings (PIAWE), which is then used to calculate any weekly benefit entitlement. Weekly payments will be made by (Company name) during our normal pay run period.

6.4 Informed Consent

As part of the Workers Compensation and RTW process, medical information will need to be shared between relevant parties (the insurer, (company name), your treating doctor and treating providers). To do this, we are required to request and obtain your consent for sharing this information. This will be completed by signing your Certificate of Capacity, which outlines who the information will be shared between and for what purpose. It is important you understand your rights and obligations (outlined in this document), the type of information that will be exchanged (medical information related to your work-related injury, including diagnosis,

prognosis, required treatment and expected recovery date), who will have access to this information **(the insurer, your doctor and treatment providers, (company name))**.

Your support team having access to this information is critical to ensure your safe and durable return to work and recovery from your injury. Not providing consent for the release of your health information may result in your claim not progressing, not being accepted at all, and/or your treatment and recovery being delayed.

Consent is always voluntary in nature and can be withdrawn at any time.

6.5 Injury Management Plan

After being notified of an injury and lodging a claim, **(Company name)** will collaborate with the injured worker and our insurer to develop an injury management plan. This plan will include the provision of suitable duties to help our injured workers recover at work and maintain a connection with their social network at work, which has been proven to assist in the recovery and RTW process.

7. Recovery at Work

7.1 Planning for Recovery at Work

An individual Return to Work Plan will be developed in consultation with the worker, their treating practitioner, the insurer, and the RTWC. The plan will:

- Outline the worker's capabilities and restrictions.
- Identify suitable duties that the worker can perform safely.
- Establish a timeframe for gradually increasing duties, where appropriate, leading to full recovery.

7.2 Suitable Duties

Suitable duties will be identified based on medical advice, taking into account the worker's physical and psychological capacity. These duties may include:

- Modifications to existing roles (e.g., reduced hours or lighter tasks).
- Offering alternative roles within the business that match the worker's current capabilities.

7.3 Workplace Adjustments

Where necessary, workplace modifications (e.g., ergonomic adjustments, altered work schedules) will be made to accommodate the worker's recovery and facilitate a smoother transition back to regular duties.

7.4 Dismissal Protections

Under workers compensation laws there are protections in place for workers against dismissal because of work related injury or illness within six (6) months of said injury (or the length of any accident pay in the worker's award or agreement). Workers will be advised of this fact following **(Company name)** lodging the notification of injury to our insurer. **(Outline how you will advise the worker of these protections here. Delete this sentence once tailored for your purposes)**.

If (company name) dismisses a worker because of a work-related injury at any stage in the claim, the worker may apply to the employer to be re-instated. If the employer replaces the worker within two years of dismissing them, the employer must inform the replacement worker that the dismissed worker may be entitled to be reinstated to the role.

Please see S247, S248 and S241 of Workers Compensation Act 1987 for further details on worker rights regarding dismissal.

8. Dispute Prevention and Resolution

8.1 Early Communication

[Company Name] emphasises early communication and open dialogue to prevent disputes. Any concerns about the RTW process should be raised promptly with the RTWC or a senior manager.

8.2 Dispute Resolution Process

If a dispute arises between the worker, employer, or insurer, the following steps will be taken:

1. **Internal Resolution:** Attempt to resolve the issue through informal discussion involving the RTWC, the worker, and management.
 2. **Involving the Insurer:** If the dispute remains unresolved, the insurer may be asked to facilitate communication or provide mediation services.
 3. **SafeWork NSW and SIRA:** If the matter cannot be resolved internally, SafeWork NSW or SIRA can be contacted for further mediation or advice.
-

9. Administration

9.1 Record Keeping

Accurate records of all workplace injuries, RTW plans, and correspondence with insurers will be maintained by the RTWC. This includes:

- Incident reports.
- Workers' compensation claims.
- Medical certificates and reports.
- RTW plans and progress reports.

9.2 Confidentiality

All personal and medical information will be stored securely and only shared with relevant parties involved in the RTW process, in compliance with privacy laws.

9.3 Review of the RTW Program

The RTW Program will be reviewed every 2 years or following any significant changes in legislation, workplace incidents, or company policies. Feedback from workers and stakeholders will be considered in updating the program.

10. Acknowledgement

I have read and understood the Return to Work Program and agree to abide by the responsibilities and procedures outlined.

- **Employee Name:**
- **Employee Signature:**
- **Date:**
- **Employer/Manager Name:**
- **Employer/Manager Signature:**
- **Date:**