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RETURN TO WORK POLICY (Work related injury)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

Document # QA7-R3

National Quality Standard (NQS)

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
7.2.1	Continuous Improvement	There is an effective self-assessment and quality improvement process in place.

Education and Care Services National Regulations

Children (Education and Care Services) National Law

168	Education and care service must have policies and procedure
168 (2) (o)	Policies and procedures are required in relation to the following – dealing with complaints
172	Offence to fail to display prescribed information
173	Prescribed information to be displayed
174	Offence to fail to notify certain information to Regulatory Authority
176	Time to notify certain information to Regulatory Authority

Introduction

Under the Safety Rehabilitation and Compensation (SRC) Act 1988, Woden Early Childhood Centre (WECC) is committed to providing rehabilitation for all educators who have been injured in a work related incident.

Scope

This policy applies to staff and management of the Centre.

Goals

WECC is obliged to have a written rehabilitation policy to outline its response to injured educators incorporating a return to work (RTW) process. This policy covers the objectives, management and responsibilities of all educators inclusive of the injured educator, and is available through Guild Insurance if required.

In response to this commitment, the Nominated Supervisor or Director will initiate an RTW process by engaging an approved rehabilitation provider to prepare an RTW plan. The process is designed to formulate the best possible plan for recovery of the injured educator. The plan is devised in consultation with the educator, the educator's supervisor, WECC's Nominated Supervisor or Director, the approved rehabilitation provider and the educator's treating doctor.

Once this plan is signed by all parties it constitutes a determination under s38 of the SRC Act. All parties to the plan are committed and the expectation is that the educator will follow that plan. The plan is aimed at returning the educator to pre injury duties as quickly and safely as possible.

The objectives of WECC's RTW policy are to:

- facilitate the quickest, safest and most cost-effective return of educators to the workplace following illness or injury
- contain the cost of WECC's workers' compensation claims
- clarify the rights and obligations of all parties.

Strategies

The extent to which these objectives are met is assessed by:

- the implementation of the RTW case management plans
- participation of Room Leaders, other educators and the Nominated Supervisor or Director in the RTW process
- the movement of WECC's annual compensation premium
- the number of educators who continue long term incapacity compensation leave or are retired or invalidity grounds with compensable conditions.

The role of the Nominated Supervisor or Director or Room Leaders in the RTW process is paramount to the successful return to pre injury duties of the educator and cooperation is mandated by legislation.

Room Leaders must:

- advise the Nominated Supervisor or Director of educator injuries/illness impacting on work or attendance
- cooperate with the educator and the Nominated Supervisor or Director in determining the RTW program, including suitable and meaningful duties
- provide suitable and meaningful duties, outlined in the RTW plan, to assist in the rehabilitation of educators in consultation with all or any of the combination of the following:
 - Nominated Supervisor or Director
 - educator
- maintain appropriate confidentiality.

The Nominated Supervisor or Director must:

- assess the educator's need for occupational rehabilitation
- engage, if necessary, a rehabilitation provider through WECC's insurance company.
- consult with the injured educator, rehabilitation provider, supervisor and their treating medical practitioner
- negotiate with all parties on suitable duties and appropriate modifications or additional equipment to assist with the recovery of the educator and compliance with the RTW process
- through a consultation with the educator, medical practitioner, rehabilitation provider and supervisor, determine the content of the RTW program
- negotiate workplace trials, placements, return to work (including graduated return to work, where appropriate) and redeployment, in consultation with the Room Leader
- liaise with Guild Insurance and process forms.

The educator's co workers

Co-workers can assist with tasks giving training where applicable or by sharing part of their work with their colleague.

All WECC educators are obliged under legislation and this policy to promote a supportive environment to assist our colleagues.

Co-workers should not be subjected to increased workload, greater pressure or undue disruption to their normal work, for long periods, because of a colleague's RTW plan.

Guild Insurance

WECC has worker's compensation insurance with Guild Insurance. Guild:

- decides whether to pay the educator compensation
- is responsible for processing any payment or reimbursement of benefits on accepted claims
- endorses and monitors RTW plans (on compensable cases)
- will engage appropriate and authorised rehabilitation providers.

Rehabilitation consultant (RC)

For the purposes of this policy, approved rehabilitation consultants are organisations or individuals who are selected and approved by Guild Insurance to provide rehabilitation programs under s37 of the SRC Act. They are also available to provide the initial rehabilitation assessment under s36. RCs provide professional expertise to assist with the return to work of injured educators.

The RC will provide:

- expert services such as assessment for suitability for rehabilitation (initial assessment)
- advice on appropriate rehabilitation and the development of a GRTW plan or other return to work strategies
- management of the educator's return to work which includes:

- liaising with a variety of stakeholders including the educator, treating general practitioners, specialists and other practitioners, the case manager, the educator's manager and supervisor, the educator's colleagues in the workplace and the educator's representatives
- organising and monitoring of GRTW programs or pacing programs
- job redesign work
- work trials
- on the job training
- work conditioning
- ergonomic assessment
- vocational counselling
- job search activities
- specialised assessments
- injury management

Educator's rights and obligations

Successful RTW outcomes rely on rehabilitation being conducted in a consultative and cooperative environment. The educator has the right and the obligation to actively participate in the rehabilitation process. The educator must understand that they are obliged under the SRC Act to participate in the rehabilitation assessment and planning process.

Educator's obligations

The educator must:

- report to the Nominated Supervisor or Director details of any accident, injury or disease that might be related to their work at WECC
- provide their doctor or provider of treatment with an accurate description of how the Injury occurred, or of the circumstances in which the condition became apparent
- provide Guild Insurance with information or copies of documents that Guild Insurance considers are relevant to the claim
- attend any medical examination arranged by Guild Insurance
- attend any rehabilitation assessment arranged by the case manager
- undertake the rehabilitation program agreed to with the case manager
- cooperate with the case manager and approved rehabilitation provider
- report any changes in their circumstances to Guild Insurance, rehabilitation provider And WECC's Nominated Supervisor or Director.

Educator's rights

The educator has the right to:

- request a rehabilitation assessment
- access WECC's Return to work policy, and to participate in its design or change via the agreed process fully participate in decisions about their rehabilitation assessment and program
- request copies of documents held by Guild Insurance, and which relate to their rehabilitation programs or claim under Section 59 of the SRC Act
- request a reconsideration by Guild regarding decisions made either by the case manager or by Guild Insurance.

Return to Work Policy

Policy Reviewed	February 2022	Ratified Date	Next Reviewed Date
Modification	<ul style="list-style-type: none"> • National Quality Standard table added for reference • Education and Care Services National Regulations added for reference • Minor punctuation and wording edits • Added review table with modifications and updates • Sources checked and updated when necessary • New format 	May 2022	May 2025
Policy Reviewed	July 2013	Ratified Date	Next Reviewed Date
Modification	<ul style="list-style-type: none"> • Existing policy 	July 2013	Feb 2015

Authorisation

Paul Halloran
 President
 2021-2022 WECC Management Committee