



EFFECTIVE DATE	1 July 2020
REVIEW DATE	1 July 2023
POLICY OWNER	Chancery
APPLIES TO	This Policy applies to clergy, religious, employees, board members, contractors (as defined and in relations to WHS legislation and a one member corporation), volunteers, work experience students and trainees (Workers) of the Diocese.
EXCLUSIONS	Where an agency or entity of the Diocese has its own policy, the relevant agency or entity policy will apply to Workers engaged by those agencies or entities. In the event of conflict between the policies of agencies or entities and the Diocesan policy, the Diocesan policy prevails.
RELATED POLICIES, GUIDELINES & PROCEDURES	Work, Health & Safety Policy Work, Health & Safety Management System Leave Policy
REFERENCE	<i>Australian Privacy Principles</i> <i>Health Records and Information Privacy Act 2002 (NSW)</i> <i>Privacy Act 1988 (Clth)</i> <i>Workers Compensation Act 1987 (NSW)</i> <i>Workers Compensation Regulation 2016 (NSW)</i> <i>Work Health and Safety Act 2011 (NSW)</i> <i>Work Health and Safety Regulation 2011 (NSW)</i> <i>Workplace Injury Management and Workers Compensation Act 1998 (NSW).</i>
RELATED FORMS	Leave Application Form Register of Injuries/Incidents & Near Misses (Workers) Form Worker Incident/ Accident Investigation Report Form CCI - Notification of Injury and Disease Form CCI - Personal Accident Voluntary Workers Claim Form CCI - Public Liability Insurance Claim Form CCI - Recover at Work Plan Form SIRA - Certificate of Capacity/ Certificate of Fitness Form SIRA - Standard Consent Form for Release of Personal Information SIRA - Worker's Injury Claim Form
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OBJECTIVE

This policy sets down the policy of the Diocese on injury management and return to work.

DEFINITIONS

Approved Workplace Rehabilitation Provider (AWRP) means a **rehabilitation provider** appointed to provide Injured Workers with specific rehabilitation services to assist them with their return to work. Workplace Rehabilitation providers are approved by SIRA and is consistent with the *Nationally Consistent Approval Framework for the Approval of Workplace Rehabilitation Providers*;

CCI means Catholic Church Insurer, the Diocesan workers compensation insurer;

CCI Claims Support Officer means the Workers Compensation Claims Officer appointed by CCI to manage the Injured Workers worker's compensation claim;

Diocese means the Roman Catholic Diocese of Lismore and includes without limitation any Diocesan agencies, corporations, entities, parishes, parish corporations and parish entities where the Worker is employed or otherwise engaged by the Diocese;

Employer means the Trustees of the Roman Catholic Church for the Diocese of Lismore;

Initial Notification means the notification made to CCI that an injury has occurred that needs to be made within 48 hours of the employer becoming aware of the injury;

Injured Worker means a Worker who has suffered a Workplace Injury;

Injury Management Program means the CCI Injury Management Program which provides the employer and Worker with information on the processes and strategies that will be implemented by CCI when workplace injuries occur;

Injury Management Plan (IMP) means a detailed plan prepared by CCI in consultation with the Injured Worker of what's required to get the employee back to work safely, including medical management, treatment and rehabilitation goals;

Injury Management Procedures means the procedures contained in this Policy for the management of Workplace Injuries;

Register of Injuries means the record kept by the employer of all workplace injuries regardless of whether there has been/will be a claim made;

Non Work-Related Injury means any injury that is not a Workplace Injury;

Nominated Treating Doctor (NTD) means the doctor or practitioner appointed to treat the Injured Worker; Person Conducting a Business or Undertaking (PCBU) (under the WHS Act) can be:

- A person;
- A corporation;
- A partnership; or
- An unincorporated association.

That conducts business or undertaking, whether or not the business or undertaking is conducted for profit or gain;

Return to Work (RTW) Coordinator means the person appointed by the Diocese to carry out the day-to-day duties of the RTW program and is the link between the Injured Worker and their support team;

Return to Work (RTW) Plan means a detailed plan of what's required to get the Injured Worker back to work safely, including medical management, treatment and rehabilitation goals;

Serious Injury or illness means an injury or illness requiring the person to have for example immediate treatment as an in-patient in a hospital, immediate treatment for the amputation of any part of the body, serious head, eye or burn injury, separation of skin from underlying tissue, spinal injury, loss of a bodily function or serious laceration, medical treatment within 48 hours of exposure to a substance;

Significant Injury means an injury that prevents a Worker from doing their job continuously for 7 or more consecutive calendar days;

SIRA means the State Insurance Regulatory Authority;

WorkCover means the government agency superseded by SIRA;

Worker means a person carrying out work in any capacity for a Person Conducting a Business or Undertaking (PCBU) including an employee of the PCBU, a contractor or sub-contractor, an employee of the contractor or sub-contractor, an employee of a labour hire company who has been assigned to work in the PCBU, an out-worker, a student gaining work experience or a volunteer;

Workplace Injury means personal injury arising out of or in the course of employment, but only if the employment was the main contributing factor to contracting the disease; and is categorised as either physical injury, disease injury or psychiatric injury.

POLICY

Successful return to work strategies require collaboration between the parties to an Injured Worker's individualised **Injury Management Plan (IMP)**. Roles and responsibilities of the parties are documented in this Policy and within the **State Insurance Regulatory Authority (SIRA) Guidelines for When a Worker is Injured**, as well as in the Catholic Church Insurance (CCI) **Injury Management Program**. This Policy also contains the injury management procedures of the Diocese and should be read in conjunction with the **Work Health & Safety Policy** and as part of the **Diocesan Work Health and Safety (WHS) Management System**.

1. Guiding Principles: Injury Management & Return To Work

1.1. Leadership and Commitment

The Diocese is committed to:

- A preventative approach, providing a safe and healthy work environment to minimise the risk of work related injury/illness;
- Early reporting and intervention at the workplace to enable an employee to stay at work, if appropriate, or to return to work as soon as possible. This may be prior to determination of liability;
- Ensuring that returning to work as soon as possible is a normal expectation;
- Providing modifications to equipment, work practices and duties, where practicable, to assist in the rehabilitation process so the employee may remain at work or return to suitable work after injury/illness;

- Providing suitable duties wherever possible to maintain the employee at work or enable an early return to work;
- Providing comprehensive and effective workplace-based return to work programs tailored to the individual needs of the employee;
- Ensuring that the injured employee is actively involved in the development and implementation of their own rehabilitation and return to work;
- Returning employees to their original workplace and duties as a primary goal;
- Ensuring that participation in a rehabilitation program will not, of itself, prejudice an injured employee;
- Providing high quality effective return to work management, by Approved Workplace Rehabilitation Providers (WRPs);
- Ensuring managers/Parish Priests are involved in the return to work process; and
- Ensuring the ongoing effectiveness of the return to work programs by regularly reviewing and evaluating this Policy and its implementation through analysis of claims data and premium costs, and stakeholder feedback.

1.2. Diocesan WHS Management System

Injury management and return to work (RTW) are components of the Diocesan WHS Management System. WHS management systems are designed to reduce workplace injuries and illness by systematically eliminating or minimising risk, so far as reasonably practicable, in relation to persons affected by the Diocese' activities and services.

1.3. Workplace as a Therapeutic Environment

Early return to work is a vital component of the Diocesan WHS Management System and a central feature of the workers compensation system in NSW. It promotes a timely and sustainable recovery and has been shown to be more therapeutic than prolonged rest and treatment.

1.4. A Co-ordinated Process

Injury management is a process requiring the cooperation and participation of everyone involved including the Injured Worker, RTW Coordinator, Nominated Treating Doctor or practitioner (NTD) and the CCI Claims Manager (Claims Manager).

1.5. Early Return to Work

Most people with a work-related injury do not require time off work. When they do require time off it is important to minimise the amount of time that they are away from work. This is because the shorter the time that they spend away from work increases the likelihood that they will return to work. Returning to work helps the Worker to stay active after an injury, in some cases can reduce symptoms and helps them to return to their usual activities at home and at work sooner. Working is therefore an important part of treatment and rehabilitation and for that reason, the recovery period away from the workplace should be as short as possible.

1.6. Return to Work Not to Disadvantage Injured Workers

Workers cannot be dismissed because they are not fit for employment because they have a workplace injury during the relevant period (usually six months after the Worker became unfit for employment). The Worker may be dismissed if the Worker will not undergo a medical examination reasonably required to determine fitness for employment or the employer believes on reasonable grounds that the Worker was not an Injured Worker.

2. OBLIGATIONS AND RESPONSIBILITIES

The following stakeholders play important roles in promoting a timely and sustainable recovery and have important obligations that they must meet in getting an Injured Worker back to work.

2.1. Catholic Church Insurance Obligations

CCI as the workers compensation insurer for the Diocese, must comply with the relevant legislation when developing an Injury Management Program. The most recent version of the [CCI Injury Management Program](#) must be lodged with SIRA and can be accessed at www.ccinsurance.org.au.

As the insurer, CCI must:

- Contact the Employer, Injured Worker and NTD (where appropriate) within 3 working days of being notified of a significant injury;
- Advise employers of their obligations under the Injury Management Program;
- Advise Injured Workers of their obligations and responsibilities as well as any possible penalties for failing to meet them;
- Commence provisional payments of weekly benefits and medical expenses, or advise the Injured Worker why provision payments will not be made within seven calendar days of being notified of the injury;
- Inform the Injured Worker and Employer of entitlements and how they are calculated;
- Create a tailored IMP for every Worker with a significant injury in consultation with the Injured Worker, Employer and NTD that contains the:
 - RTW strategy;
 - Approved treatments and any planned treatment actions to be taken by each stakeholder;
 - Obligations of all stakeholders.
- Review and update the IMP in consultation with the relevant stakeholders when there are substantial changes in the Injured Worker's medical or return to work circumstances;
- Work collaboratively with all stakeholders to help facilitate a timely, safe and durable return to work for all Injured Workers where it is reasonably practicable for the Worker to return to work;
- Provide advice to the Employer on the provision of suitable employment, redeployment options and use of vocational programs;
- Carry out work capacity assessments as required and as a minimum every 78 weeks except for seriously Injured Workers; and
- Complete a Work Capacity Decision on all claims upon reaching 130 weeks duration, and then every two years thereafter.

2.2. Employer Obligations

As the Employer, the Diocese is obliged to:

- Provide a safe workplace;
- Have workers compensation insurance;
- Display the *'If you get injured at work poster'*;
- Document all reported incidents or injuries;
- Maintain a register of work-related injuries;
- Ensure appropriate first aid is given to Injured Workers;
- Notify SafeWork NSW on 13 10 50 following serious injury;
- Have a documented return to work program describing the steps the employer will take if a Worker is injured;
- Notify CCI of any workplace injuries within 48 hours;
- Provide claim forms to Injured Workers;
- Forward claim forms to CCI within 7 days;

- Establish and maintain a return to work plan for relevant Injured Workers;
- Work with an appointed AWRPs in relation to Injured Worker's vocational rehabilitation;
- Participate in the development of the Injured Worker's IMP, written by CCI and comply with its obligations;
- Provide suitable work (as far as reasonably practicable) when a Worker is able to return to work, either on a full-time or part-time basis; and
- Provide suitable work that is (as far as reasonably practicable) the same as or equivalent to the work being performed at the time of the injury.
- Further requirements, information and guidance for employers can be found in the *SIRA Guidelines for Claiming Workers Compensation publication*.

2.3. Injured Worker Rights and Obligations

The Injured Worker must:

- Comply with the requirements of the Workers Compensation Act 1987 (NSW) and the Workplace Injury Management and Workers Compensation Act 1998 (NSW);
- Notify their supervisor as soon as practicable after a work-related injury occurs;
- Complete a **Register of Injuries/ Incidents & Near Misses (Workers) Form** as soon as practicable after the work-related injury occurs and provide it to their supervisor and/or the RTW Coordinator;
- Inform their supervisor of any time lost and/or medical expenses incurred as a result of the work-related injury;
- Identify an NTD who must agree to participate in the development and implementation of an IMP for the Worker where the injury is a Significant Injury (see Glossary for definition of significant injury);
- Give consent for their NTD to provide relevant information to CCI or their employer for the purposes of return to work;
- Provide a **SIRA - Certificate of Capacity/ Certificate of Fitness Form** from their NTD, at least every 28 days, in support of any absences from work due to the work-related injury;
- Comply with the obligations outlined in the IMP and RTW Plan of their employer;
- Participate actively in the design and implementation of their RTW Plan including but not limited to attending any meetings and medical appointments relating to that plan;
- Make genuine and reasonable efforts to return to their pre-injury duties as soon as possible;
- If intending to lodge a workers compensation claim, do so within six months of the date of injury.
- An Injured Worker has the right to:
 - Choose their own NTD, WRP and any treatment providers;
 - Change their NTD after providing reasons and obtaining approval from CCI;
 - Be involved in the development of their IMP and RTW Plan;
 - Have a union representative if required.

2.4. Nominated Treating Doctor Obligations

The NTD is the medical practitioner the Injured Worker selects to medically manage their workplace injury and assist in the coordination of their return to work. They are responsible for coordinating all aspects of the Injured Worker's treatment and providing assistance in managing their return to work.

The NTD is required to:

- Issue regular certificates of capacity detailing what capacity the Worker has for suitable employment;
- Participate in the development of the IMP and RTW Plan;
- Provide relevant information to the employer and insurer;

- Recommend and arrange reasonable evidence-based treatment;
- Be available for scheduled communication with the Employer, CCI, treatment providers and WRPs when required;
- Advise of any changes or restrictions on their practice.

2.5. Approved Workplace Rehabilitation Provider Obligations

WRPs are approved by SIRA. They are appointed to provide Injured Workers with specific rehabilitation services to assist them with their return to work.

An approved WRP provides an independent party to assist an Injured Worker to liaise and negotiate with all stakeholders involved in the Injured Worker's rehabilitation. WRPs must:

- Be approved by SIRA;
- Promote an early and safe return to suitable employment through proactive injury and claims management;
- Ensure all services are delivered in a cost-effective manner;
- Facilitate communication between the parties;
- Help identify the most appropriate return to work goal given the specifics of the claim;
- Identify any risks and barriers that may impact on the Injured Worker's return to work and develop strategies to overcome them;
- Provide detailed plans, assessments and updates as part of their Return to Work services.

2.6. Worker (colleagues) Obligations

While the role of colleagues is not prescribed by legislation, it is expected that they will:

- Cooperate with the RTW Plan of a fellow Worker with a workplace injury, if required;
- Assist in the identification, assessment, elimination or minimisation of hazards/ risks to prevent further injury;
- Cooperate in worksite changes designed to assist the return to work of a fellow Worker with a workplace injury so that the changes do not transfer the risk of illness or injury to other Workers.

3. Injury Management/ Return To Work Plans And Injury Management Program

3.1. Injury Management Program

An Injury Management Program is a coordinated and managed program that integrates all aspect of injury management including treatment, rehabilitation, retraining, claims management and employment management practices. The CCI Injury Management Program (Injury Management Program) provides the employer and Worker with information on the processes and strategies that will be implemented by CCI when workplace injuries occur. The Worker, NTD, WRP and the employer all have obligations under the Injury Management Program.

3.2. Return to Work Program

The Employer is required to have a Return to Work Program (RTW Program). The RTW Program is consistent with the CCI Injury Management Program. The *Summary of the RTW Program* is contained in (Appendix 1). The full RTW Program is contained in this Policy. RTW Programs are developed in consultation with Workers and any union representing those Workers.

3.3. Injury Management Plan

When the notification by an Injured Worker has been received and if the Injured Worker has more than seven consecutive days off work as a result of the Workplace Injury, the RTW Coordinator will arrange for CCI to prepare an IMP.

The IMP will:

- Provide the Injured Worker and the NTD with a detailed RTW Plan of what is required to get the Worker back to work safely, including medical management, treatment and rehabilitation goals;
- Detail the responsibilities of all parties and the consequence of not meeting any obligations;
- Be developed with all parties within 20 working days of CCI being notified of the Injury.

Within 3 days of notification, the CCI Claims Manager will consult with the Injured Worker, Employer and (if necessary) the Worker's NTD. The purpose of this contact is to gather and provide information to all parties, identify needs, implement appropriate strategies and commence injury management planning. The Employer, Injured Worker and RTW Coordinator must participate and cooperate in the establishment of the IMP and comply with the IMP.

3.4. Return to Work Plan

As part of the Injured Worker's IMP, the RTW Coordinator will ensure, that in consultation with CCI, a RTW Plan is put in place which:

- Describes what the Employer will do to assist the Injured Worker to return to work;
- Is based on the NTD's recommendations and have his/her approval, and be coordinated with the IMP;
- Is developed in consultation with the Injured Worker.

If the NTD declares the Injured Worker able to work, but not in their usual job, the RTW Coordinator will try to find them suitable duties while they recover. These duties could involve:

- Elements of their usual job;
- Reduced hours;
- Different duties;
- Training;
- When considering suitable duties, the RTW Coordinator will consider:
 - What the NTD says the Injured Worker is capable of doing;
 - The age, education and skills of the Injured Worker;
 - Where they live; and
 - The type of duties that would be of assistance to the Employer without giving the Injured Worker demeaning tasks.

4. Injury Management Procedures

These procedures outline how to respond to workplace injuries and how to successfully return an Injured Worker to work.

4.1. Responding to an injury

a) Ensure Safety

When an injury or near miss occurs check for danger and contain the situation to ensure the safety of others. If an injury has occurred apply first aid.

b) First Aid

If a Worker becomes injured or ill at work, the Employer will provide immediate first aid (where appropriate) and seek medical treatment, if required. The provision of appropriate first aid is important as an untreated minor injury could lead to serious health ramifications for the Worker and serious risk for the Employer.

4.2. Reporting the Injury

If you are an Injured Worker (but not a volunteer or visitor), you must notify your supervisor that you have sustained a work-related injury or illness and provide them with details about:

- the date and time of the injury, or the period over which the injury emerged;
- a description of how the injury happened;
- a description of the injury.

The Injured Worker can also notify CCI as well if they wish.

Requirements, information and guidance for Workers can be found in the SIRA [Guidelines for Claiming Workers Compensation](#) which can be accessed at www.sira.nsw.gov.au.

If you are the Employer, you must:

Record the injury in the **Register of Injuries** (regardless of whether there has been/will be a claim made;

Notify CCI within 48 hours of being made aware of the injury (initial notification) and provide the following information:

- The date and time of the injury/ illness, or the period over which the injury emerged;
- A description of how the injury happened;
- A description of the injury.

The various options to notify CCI of an injury are as follows:

Email:	WorkersCompensation@ccinsurance.org.au
Telephone:	1300 110 442
Facsimile:	(+612) 9273 2880
Mail Delivery:	Catholic Church Insurance GPO Box 4240 SYDNEY NSW 2001

The person providing the notification will be required to provide all of the following information:

- The date, time, location and nature of the injury;
- How the injury occurred;
- The Injured Worker's name, address, contact number, gender and date of birth;
- Employer's name;
- Notifier's name and address;
- Notifier's relationship to the Injured Worker.

The Diocese is required to use the **CCI - Notification of Injury and Disease Form** which includes all the required information.

If the injury is considered 'serious' or 'dangerous' or has resulted in a death you must report the incident immediately to SafeWork NSW on 131050 and inform them what has happened.

The Diocesan Business Manager must also be immediately notified by email and telephone at:

Name:	Greg Isaac, Diocesan Business Manager
Email:	gisaac@lismore.catholic.org.au
Telephone:	(02) 66219444

CCI will triage the Claim by risk at the initial assessment and periodically throughout the lifecycle of the Claim to ensure the most effective resources are applied throughout.

For **low risk** or administrative notification and claims, a Claims Support Officer will provide quick and predominantly online services to administer the claim to closure.

For **medium and high-risk** notifications and claims, claims are managed by Claims Officers and supported by Internal Rehabilitation Specialists (Allied Health) and/or Technical Specialists tailored to the nature of each claim.

Once the **CCI - Notification of Injury and Disease Form** has been received, a CCI Claims Support Officer will immediately make contact with the employer and commence case management activities to ensure that the Injured Worker can receive the appropriate treatment and benefits.

If you are a volunteer or visitor, please see **Section 4.13**.

4.3. Register of Injuries – Notations

Details of the Worker's injury are to be entered in **Register of Injuries** by the Injured Worker, or their representative, as soon as possible after the Workplace Injury has occurred. The Injured Worker's supervisor can complete the Register of Injuries form on behalf of the Injured Worker to prevent any delay in notification. In this case the Injured Worker should countersign the Form upon their return and a copy must be supplied to the Injured Worker. The **Register of Injuries/ Incidents & Near Misses (Worker) Form** must be completed and emailed within 24 hours of incident to the RTW Coordinator (see **Section 4.6** for RTW Coordinator contact details). A **Serious Injury** is to be reported immediately to the RTW Coordinator before the Injured Worker leaves the site or if the Injured Worker is unable to make the report, by their supervisor before the supervisor leaves the site.

4.4. Find Out What Happened

If a Workplace Injury occurs, it must be investigated in a spirit of 'no blame'. This is an important factor in the development of incident prevention programs. The Injured Worker's supervisor or manager should investigate the incident in which a Workplace Injury or near miss occurred, complete a **Worker Incident/ Accident Investigation Report Form** and provide a copy to the RTW Coordinator.

4.5. Support for the Injured Worker to Return To Work

Understanding an Injured Worker's situation and offering them support will positively affect the Injured Worker's response to their injury and enable successful recovery at work. Appropriate communication is essential to facilitate recovery at work for an Injured Worker. The RTW Program identifies how the Employer maintains positive and effective communication with Injured Workers and who will be responsible for this. They play a key role in the Worker's return to work including the development of a RTW Plan.

Where the RTW Coordinator has a conflicted interest which may adversely impact upon the RTW program for that injured worker, the matter should be referred to the Diocesan HR & WHS Manager. The Diocesan HR & WHS Manager may, at their absolute discretion, delegate the coordination of the return to work to another person or entity. The Diocesan HR & WHS Manager may be required to inform the governance structure of the organisation of what they are doing in relation to the claim.

4.6. Return to Work (RTW) Coordinator

The Employer's RTW Coordinator details are as follows:

Name:	Kathy Lovell, Diocesan HR & WHS Manager
Telephone:	(02) 66219444
Email:	klovell@lismore.catholic.org.au

The RTW Coordinator is responsible for:

- Processing of injury related documentation through to CCI;
- Maintaining the Register of Injuries;
- Liaising with supervisors, payroll, CCI, WRPs, and, medical and allied health professionals; and
- Developing RTW Plans.

4.7. Early Contact with the doctor

An Injured Worker who is away for more than 7 consecutive days as a result of a Workplace Injury, must choose their preferred doctor (also known as the Nominated Treating Doctor (**NTD**)).

The RTW Coordinator will make early contact with the NTD to discuss the Injured Worker's normal duties and the availability of other duties.

4.8. Certificate of Capacity

The **SIRA - Certificate of Capacity/ Certificate of Fitness Form** is the primary communication tool of the NTD. It is a standard form that the NTD must complete. When signing the **SIRA - Certificate of Capacity/ Certificate of Fitness Form**, the Injured Worker authorises the doctor to provide relevant information about the Worker's injury to SIRA, the Employer and CCI.

4.9. Consent

The employer will gain the consent of the Injured Worker to release and exchange information about the Injured Worker's recovery at work through the giving of that consent by the Injured Worker on:

- the signing of the SIRA - Certificate of Capacity/ Certificate of Fitness Form; and/or
- the signing of a SIRA - Standard Consent Form for Release of Personal Information.

4.10. Supervisors and Managers

The Injured Worker's supervisor or manager is responsible for:

- Notifying and liaising with the Injured Worker and RTW Coordinator;
- Ensuring Certificates of Capacity are current and paperwork relevant to the claim is sent to the RTW Coordinator;
- Participating in the RTW Plan, including identification of any suitable duties;
- Maintaining regular contact with the Injured Worker they do not have capacity to work; and
- Day to day supervision of Injured Workers as they participate in their RTW Plan.

4.11. Releasing the Injured Worker for Further Treatment

The times which the Worker will attend for treatment will be included in the RTW Plan and will be negotiated between the Worker and the Employer. Consideration will be given to the location of work and treatment, work routines, productivity and Worker responsibilities while at work and at home. Workers who are fit for reduced work hours are encouraged to obtain treatment outside of work hours where their circumstances allow.

4.12. Prepare an Injury Management Plan (IMP)

In the case of a serious injury (requiring more than seven consecutive days off work), CCI will prepare an **Injury Management Plan (IMP)**.

The IMP:

- Provides the Injured Worker, the Employer and the NTD with a detailed plan of what is required to get the Injured Worker back to work safely, including medical management, treatment and rehabilitation goals;
- States the responsibilities of all parties and details the consequence of not meeting any obligations;
- Is developed with all parties within 20 working days of CCI being notified of the injury.

4.13. Volunteers and Visitor Injuries

In the case of volunteers and visitors, the Diocese has Public Liability Insurance and Voluntary Workers Personal Accident Insurance which may provide compensation to third parties in respect of:

- personal injury;
- property damage; and
- advertising liability.

Diocese insurers require that in order for a claim against these policies to be successful negligence must be proven on the part of the Diocese. It is essential not to admit liability and notify the Diocesan Public Liability Insurers so that they can assess and manage the claim.

Where an injury has occurred the procedure in **Section 4** above should be followed.

In the event of an injury to a volunteer or visitor the injured party should complete a **CCI Public Liability Insurance Claim Form** or **CCI - Personal Accident Voluntary Workers Claim Form** and forward to CCI at:

Email: liabilityclaims@ccinsurance.org.au
Mail Delivery: Catholic Church Insurance
GPO Box 180
MELBOURNE VIC 3001

Any queries please contact CCI Claims Department on 1300 655 001.

5. Payroll Processes

When an Injured Worker has time off work due to a Workplace Injury because they do not have capacity to work or need to attend medical appointments their absence must be recorded on their timesheet, clearly marked as Workers Compensation and must be accompanied by a **Leave Application Form** and **SIRA - Certificate of Capacity/Certificate of Fitness Form** which covers the period during which they are absent from work.

Injured Workers who do not normally complete a timesheet are required to do so for any time off because of a Workplace Injury.

6. Prepare A Return to Work (RTW) Plan

Injured Workers who do not have capacity to perform work for more than 7 days or have a **SIRA - Certificate of Capacity/ Certificate of Fitness Form** indicating that they require assistance returning to work are required to have a RTW Plan prepared to assist them to return to work successfully. The RTW Coordinator will coordinate the preparation of a RTW Plan.

The Injured Worker's RTW Plan should:

- Describe what the Employer will do to help the Injured Worker return to work;
- Be based on the NTD recommendations and have his/her approval and be coordinated with the Injury Management Plan;
- Be developed in consultation with the Injured Worker;
- Specify the short term and long-term goals for return to work;
- Be recorded on the **CCI - Recover at Work Plan Form**.

If the NTD declares the Injured Worker able to work, but not in their usual job, the Employer will try to find them suitable duties while they recover. These duties could include:

- Elements of their usual job;

- Reduced hours;
- Different duties;
- Training.

When looking for suitable duties the Employer should consider:

- What the NTD and any WPS has said about what the Injured Worker is capable of doing;
- The age, education and skills of the Injured Worker;
- Where they live;
- The type of duties that benefit the organisation, keeping in mind that the Injured Worker cannot be given demeaning tasks.

The RTW Plan is recorded and distributed on the **CCI - Recover at Work Plan Form**.

Disputes regarding suitable duties may be referred to the WPS by any party. See also **Section 7.6 - Dispute Prevention and Resolution**.

It is the expectation of everyone involved in the Injured Worker's return to work that the RTW Plan will ultimately lead to a resumption of pre-injury duties. If this expectation becomes unrealistic or unachievable, retraining, redeployment or cessation of employment may be necessary after consultation with the Injured Worker, the Employer, CCI, the NTD and any WPS.

7. Workers Compensation Claims and Provisional Liability

7.1. Lodging a Claim

To lodge a worker's compensation claim for weekly payments or medical, hospital and rehabilitation expenses the Injured Worker is required to complete the **SIRA - Worker's Injury Claim Form** and have the Employer sign the claim Form. Once completed the **SIRA Worker's Injury Claim Form** is to be forwarded to CCI (see **Section 4.2** for details of where to lodge the form). Before completing this Form, the Injured Worker should:

- Notify the Employer of their Workplace Injury or illness (see **Section 4.2**);
- Update the Employer's Injury Register (see **Section 4.3**); and
- See their NTD who may provide a **SIRA - Certificate of Capacity/ Certificate of Fitness Form** and given the original copy of the certificate to the Employer (see **Section 4.8**).

7.2. Provisional Liability

Workers compensation benefits are payable to an Injured Worker when:

- Their injury arises out of or in the course of their employment and the employment is the main contributing factor as defined in the relevant legislation; and
- CCI has determined liability.

Once the Workplace Injury has been reported to CCI, provisions apply under the relevant legislation for the payment of weekly compensation and medical benefits on a 'provisional' basis i.e. without admitting liability. This is to enable an Injured Worker to commence rehabilitation without delay of waiting for a formal claim to be processed. Provisional weekly payments can be paid up to a maximum of 12 weeks, as determined by CCI.

7.3. Reporting Fraud

If fraud is suspected, managers should contact the Diocesan Business Manager. Any suspected cases of fraud should also be referred to CCI who following investigation may report it to the Compliance, Investigations and Prosecutions division of SIRA.

There are different types of fraud. Examples might include:

- Claiming for an injury that did not occur at work;
- Failure to notify of return to work or change in income;
- Non-disclosure of multiple claims relating to the same injury;
- False or overstated travel and/or expense claims;
- Falsifying medical certificates;
- Supplying false or misleading information in relation to a claim.

7.4. Determining the Claim

CCI will gather supporting medical information to verify that a Worker has suffered a Workplace Injury and to determine the expected period of injury. This information may be in any form e.g. the treating hospital's medical records obtained subject to the authority completed by an Injured Worker on a **SIRA - Certificate of Capacity/ Certificate of Fitness Form**.

7.5. Time Limits for Claiming

A claim for Workers compensation should be made within a maximum of 6 months of the date of injury (or in the case of death – within 6 months of the date of death).

In some circumstances this time may be exceeded and there are special arrangements for cases where a Worker is made aware, they have received an injury a long time after the incident.

7.6. Dispute Prevention and Resolution

CCI is required to comply with the relevant legislation when reaching decisions about Workers compensation claims. If CCI declines payment and the Injured Worker disagrees with the decision, the Injured Worker can provide additional information to support their case and request a review of the claim. A senior CCI staff member, not involved in the original decision, will conduct the review to provide a fresh perspective on the case. If after an internal review by CCI the Injured Worker is still not satisfied with the decision, they can lodge an application for 'merit review' with SIRA. Before a merit review can be requested the Injured Worker must first have requested an internal review by CCI.

8. General

8.1. Administration and Confidentiality

All injury management information concerning an Injured Worker is confidential. The Employer is committed to complying with their legal obligations when collecting, using and disclosing an Injured Worker's personal and health information. This information includes without limitation medical advice or opinions about the Injured Worker. This information will only be collected and retained when necessary and will only be disclosed after careful consideration of applicable privacy principles, including whether the Injured Worker has consented to the disclosure. Personal and health information will be securely stored in a confidential file for each Injured Worker with restricted access to the files.

Examples of people with a legitimate need to access these files may include:

- The RTW Coordinator;
- The Injured Workers immediate manager or supervisor;
- Managers or supervisors of the area in which suitable duties have been identified.

The Employer will keep Worker's compensation files separate from other personnel records, as personnel records are often accessed by people other than those who have a legitimate need to know information about the Injured Workers injury or claim for workers compensation.

8.2. Consultation

Worker involvement throughout all levels of the Diocese is critical for ensuring a safe and healthy workplace. The Diocese supports a range of consultation mechanisms, which are not limited to Workplace Safety Officers, WHS Representatives and WHS Committees, depending on the scope and size of agency. Where a WHS Representative or Committee exists, a 'Terms of Reference' document outlines the functions of this consultative mechanism.

8.3. Workplace Culture

The Diocese is committed to fostering a positive culture that promotes recovery at work. The Diocese actively fosters a positive culture by:

- Adopting a 'no blame' approach to incident reporting and investigation;
- Encouraging the colleagues of Injured Workers to remain in contact with them until they return to work and placing an obligation on those colleagues to assist the Injured Worker by cooperating with the RTW Plan of a fellow Worker with a Workplace Injury;
- Promoting the health benefits of return to work early after a Workplace Injury; and
- Displaying the **Model Summary of the Return to Work Program** (see **Appendix 1**) and the poster '*If you get injured at work*' in Diocesan workplaces.

8.4. Training Arrangement

Workers will be trained in the RTW Program by the provision of:

- Training session as part of Chancery and Parish workshops;
- Ad hoc training provided by CCI;
- Individual training undertaken by the RTW Coordinator;
- The display of information in common areas of the workplace including without limitation displaying the Model Summary of the Return to Work Program (see **Appendix 1**) and the poster '*If you get injured at work*' in Diocesan workplaces.

8.5. Non Work-Related Injuries

The Employer will endeavour to assist Workers with non-work related injuries to return to work, when they are absent from work because of the non-work related injury. Non-work related injuries are not afforded cover under existing workers compensation schemes. Absences from work and medical expenses related to non-work related injuries are not covered by the workers compensation scheme. Workers are able to access normal leave arrangements including without limitation personal leave and annual leave.

BREACHES OF THIS POLICY

Breaching this Policy may result in disciplinary action, which may include the termination of employment or engagement and, notification to external agencies including without limitation professional standards associations, regulatory agencies and police.

REVISION/ MODIFICATION HISTORY

Date	Version	Current Title	Summary of Changes	Approval Date	Commencement Date
1 May 2020	1	Injury Management & RTW Policy	Initial Policy	15 June 2020	1 July 2020

APPROVAL DATE/ REVISION HISTORY

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