

# KATHERINE TOWN COUNCIL

## RETURN TO WORK POLICY



TITLE: RETURN TO WORK POLICY  
ADOPTED BY: COUNCIL  
RESPONSIBILITY: CHIEF EXECUTIVE OFFICER  
NEXT REVIEW DATE: 01/03/2019

Version	Decision Number	Adoption Date	History
1		28/02/2017	
2			
3			
4			

## 1. RETURN TO WORK POLICY

In line with the principle “*good work is good for people*” Katherine Town Council (Council) acknowledges the influence they have on workers health and wellbeing by:

- Ensuring the workplace is safe and having a workplace culture conducive to health and wellbeing;
- Adopting flexible working practices, including the provision of non-medical work absence;
- Accommodating ill or injured workers to remain in the workplace where possible; and,
- Investing in workplace health and wellbeing programs.

## 2. COMMENCEMENT OF POLICY

The Policy will commence from 01/03/2017; it replaces all other policies, if any, relating to Return to Work (whether written or not).

## 3. SCOPE

This Policy applies to all Council employees and the effectiveness of the Policy will rely on the cooperative efforts of all participants; Council management, workers, insurers, medical professionals, allied health professionals and vocational rehabilitation providers.

## 4. PURPOSE

Council ensures every reasonably practicable measure will be taken for injured workers to return to work as soon as possible with an expectation of this being normal practice. For most individuals, good work improves general health and wellbeing and reduces psychological distress; therefore the rehabilitation process has been shown to benefit from activity-based rehabilitation and an early return to good work.

Council will provide a written proposal for a RTW Plan to the worker within seven (7) days after the Council becomes aware that the worker's total or partial incapacity is likely to exceed 28 days.

The Return to Work Program must be consistent with Council's insurer's Injury Management Program which also outlines steps to be taken to assist injured workers to return to work.

## 5. POLICY STATEMENT

The key principal underlying the safe and early return to work of injured workers include:

1. A RTW Plan based on the principal that Council can facilitate a coordinated return to work programs, and
2. The plan is delivered according to medical advice and where necessary the use of a vocational rehabilitation provider.

### 5.1 A RTW Plan should:

- a) Be developed in consultation with the injured worker and the treating medical practitioner and if a provider has been appointed, the vocational rehabilitation professional;
- b) Be tailored, outcome based and set out the steps to achieve return to work;
- c) Be available to an injured worker with a work capacity;
- d) Recognise the existing skills, experience and capabilities of the injured worker to allow suitable duties to be found;
- e) If necessary, utilise retraining when it is not possible for the employee to return to pre-injury duties; and,
- f) Consider the use of host employers as part of the alternative employer incentive scheme.
- g) The Return to Work Program for the individual employee should cover the following:
  - i. Job title and location;
  - ii. Agreed purpose of the program, suitable duties and the estimated length of time;
  - iii. Designated supervisor and Return to Work Coordinator;
  - iv. Hours and days to be worked;
  - v. Duties, including restrictions or duties to be avoided;
  - vi. Arrangement to attend treatment or medical appointments; and,
  - vii. Commencement and review dates.

### 5.2 Council's Commitment

Council is committed to the rehabilitation of its injured workers and aims to manage the process of rehabilitation in the workplace to ensure that injured workers have the opportunity to recover and return to work by:

- (a) Participating in the development of an injury management program and ensuring that injury management commences as soon as possible after a worker is injured;
- (c) Ensuring early access to rehabilitation services, such as, accredited rehabilitation providers;
- (d) Providing appropriate duties, where possible, for an injured worker as part of the rehabilitation process;
- (e) Consulting with injured workers to ensure that the rehabilitation program operates smoothly and effectively;

- (f) Informing injured workers of their rights in relation to a workers compensation claim, including the right to choose their own doctor and accredited rehabilitation provider, and the responsibility to provide accurate information about the injury and its cause;
- (g) Ensuring that participation in a RTW Plan will not, in itself, disadvantage any worker; and,
- (h) Acting to avoid an injured worker being dismissed solely or principally because of the work related injury, within the legislatively probation period of the injury occurring.

### **5.3 Return to Work Coordination**

Line Managers, or an appropriate delegate, should take responsibility for and facilitate the RTW Plan for workers in their workgroup/s, this includes:

- a) Assist in the development, ongoing improvement and maintenance of Council's Return to Work Program;
- b) Educate their workgroup in relation to this Program;
- c) Consult with and determine the injured worker's needs with the aim being returning the worker to appropriate duties as soon as possible;
- d) Identify appropriate suitable duties for the injured worker including creation of an individual return to work plan for each injured worker;
- e) Develop, coordinate and monitor progress in treatment, rehabilitation provider services and RTW Plans;
- f) Liaise with all relevant parties, including the rehabilitation provider where appropriate;
- g) Collect and provide information on locally-based community resources to the injured worker; and
- h) Maintain confidential case records.

As soon as Council becomes aware of a 'significant injury' the Line Manager should obtain authorisation from the injured worker to contact their nominated treating doctor and assist in the development of the Injury Management Plan and the individual worker's RTW Plan.

### **5.4 The Responsibilities of Workers**

Every worker shall:

- Perform their duties in a safe manner to prevent injuries to themselves and others;
- Report all unsafe work practices;
- Comply with this Policy and the Return to Work Program;
- Provide written consent for their nominated treating doctor to provide information for the purposes of establishing an appropriate Injury Management Plan and RTW Program;
- Give their written consent to the RTW Coordinator to obtain, use and disclose injury management information for rehabilitation purposes only;

- Give their written consent to allow Council to obtain other medical information required to ensure the worker is able to return to work and will not pose a risk to themselves or other workers;  
**Note:** It is not compulsory for workers to provide consent (either written or otherwise); however failure to do so will impact the RTW process and could affect the workers benefits.
- Participate and cooperate in the establishment of any Injury Management Plan and RTW Program which is developed in relation to any injury they have suffered;
- Provide accurate information about all aspects of the injury and claim;
- Notify the insurer if the injured worker gets another job or earn extra income from a job while the injured worker is receiving weekly benefits;
- Attend medical and rehabilitation assessments;
- Make all reasonable efforts to return to work with Council as soon as medically possible;
- Cooperate in reasonable workplace modifications designed to assist returning the injured worker to the workplace; and,
- Cooperate with Council in relation to the program, plans and rehabilitation efforts.

## **5.5 Providing Suitable Duties**

When the injured worker is, according to medical advice, well enough to return to work on suitable duties, Council shall, as far as practicable, provide temporary suitable duties which are productive and appropriate.

Suitable duties shall be approved by the treating doctor or by the accredited Rehabilitation Provider in consultation with the treating doctor. The Return to Work Coordinator or Rehabilitation Provider will identify suitable duties in the workplace.

The progress of any worker undertaking temporary suitable duties will be monitored and reviewed, with the aim of returning the worker as soon as medically possible, to their pre-injury duties or where this is not possible and appropriate, other alternative employment opportunities.

Workers should be aware that suitable duties are temporary arrangements and will be regularly reviewed by Council. Such duties may be modified or removed at anytime dependant on business needs and relevant medical advice.

## **5.6 Provision of Treatment**

Where an injured worker returns to work and is still receiving treatment, they should schedule all medical appointments, examinations, tests and the like outside work hours, where possible. Where this is not possible the worker should consult with their line manager in order to arrange a suitable time to be absent from work.

## **5.7 Consultation**

Council will consult with workers regarding Return to Work Programs, Plans and the rehabilitation process, including all aspects of this policy.

Ongoing consultation with workers about Council's RTW Programs, as well as workers' rights and responsibilities, will be undertaken by Human Resources and Supervisory roles.

For those workers who require it, Council will arrange interpreters to enable involvement in the consultation process; this expense will be borne by Council.

## **5.9 Suspension of Workers Compensation Benefits**

Injured workers should be aware that if they fail to comply with their Injury Management Plan, this Policy or fail to perform suitable duties when they are capable, then Council's insurer may suspend the worker's benefits.

## **5.10 Confidentiality**

A confidential file on each injured worker will be established and maintained by the Line Manager or responsible delegate.

Appropriate reports and records will only be available to those persons directly involved in the worker's RTW Program who have a legitimate need to know, as permitted by privacy laws or consented by the injured worker, for example, appropriate supervisors, workplace first aiders etc. Workers should be aware that if they deny or withdraw their consent, a RTW Program may not proceed and it may affect the worker's entitlements to compensation benefits.

## **6. APPLYING THIS POLICY**

Council seeks the co-operation of all workers, contractors, visitors and others whom may be affected by our business or undertakings.

Council encourages and supports suggestions to create a safe working environment and promotes all reasonable preventative measures being taken.

## **7. REVIEWING THIS POLICY**

Council will review this policy every two (2) years, unless legislative changes trigger an earlier review, in consultation with workers:

- to assess the effectiveness of the policy,
- by reviewing our overall health and safety performance,
- by monitoring the effectiveness of policies and procedures.

8. COMMUNICATING THIS POLICY

This policy (and related procedures) shall be displayed in our workplace/s.

All workers, contractors and others affected by our business or undertakings will be provided with a copy through their manager/supervisor.

New workers will be provided with a copy as part of their induction.

9. ACKNOWLEDGEMENT

*I acknowledge:*

- *receiving the Policy,*
- *that I will comply with the Policy, and*
- *that there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment.*

Name: \_\_\_\_\_  
Signed: \_\_\_\_\_  
Date: \_\_\_\_\_