



Performance Monitoring Framework
2019 – 2022

RETURN TO WORK SCHEME

Impairment
Assessor
Accreditation



Government of
South Australia

From the Return to Work Scheme Impairment Assessor Accreditation Scheme:

Section 8 Performance Monitoring

It is important for the effective functioning of the Return to Work Scheme that impairment assessments accurately reflect assessment findings based on due rigor and intellectual honesty. The accuracy, timeliness and consistency of assessments, and the extent to which assessments comply with the Return to Work Act 2014 (the Act) and the Impairment Assessment Guidelines, are monitored through the Impairment Assessment Compliance Review process administered by ReturnToWorkSA.

Assessors not meeting their accreditation obligations including, but not limited to, the expected service standards and administrative requirements may have their accreditation suspended or cancelled by the Minister.

Performance monitoring process

In monitoring the performance of accredited assessors ReturnToWorkSA will:

- monitor services provided by assessors to ensure the appropriate delivery of whole person impairment assessment services and required service standards are met
- monitor whole person impairment assessment reports (this does not include Independent Medical Advisors' opinions) issued by assessors to ensure:
 - > consistent application of, and compliance with, the Act and the Guidelines
 - > assessment reports are delivered within required timeframes
 - > medical consistency and sound reasoning
- monitor complaints received by, or concerns raised with ReturnToWorkSA regarding assessors to:
 - > review the number, nature, validity and outcome of complaints
 - > identify non conformity with accreditation obligations and establish assessors' willingness and/or ability to comply with these obligations

- > determine whether an assessor's accreditation needs to be reviewed
- > monitor and review assessor eligibility status including required attendance at continuing accreditation education
- > investigate complaints and non-conformity with accreditation obligations in accordance with the principles of procedural fairness

ReturnToWorkSA may contact the assessor to seek clarification about a report or discuss any possible issues.

Assessors should also regularly review and evaluate their own performance and capacity as an assessor and maintain the knowledge and skills necessary for the effective performance of their assessment responsibilities.

The performance of assessors may be taken into account by the Minister in the renewal process.

Suspension or cancellation of accreditation

The Scheme provides for the suspension or cancellation of accreditation by the Minister on specified grounds as outlined in section 22(17)(c) of the Act.

Repeated evidence demonstrating a non-compliance with the terms and conditions of accreditation, or failure to abide by the Service Standards and requirements, may be grounds for the suspension or cancellation of accreditation by the Minister.

Action other than cancellation or suspension

ReturnToWorkSA may impose requirements for remedial action as an alternative to the Minister suspending or cancelling the accreditation for an assessor. Examples of remedial action may include retraining or coaching or the removal of a body system from the accreditation where retraining or coaching has not resulted in improvement. ReturnToWorkSA may require that remedial action be at the assessor's cost.

Approach to managing assessor performance

Evidence and information relating to assessor performance will be recorded by ReturnToWorkSA. This may include (but is not limited to):

- Complaints received (whether investigated or not)
- Concerns raised by claims agents, workers, workers representatives, self-insurers, or other parties
- Statistical information
- Information from and relating to impairment assessment reports and interactions with assessors through the report compliance review process.

Our processes for the management of complaints received and assessor performance issues are set out in this document. The investigation of complaints, performance or compliance issues will be managed in accordance with principles of procedural fairness:

- No bias or apprehension of bias by the decision maker
- Evidence based
- People likely to be adversely affected by a decision will receive all relevant information, and have an opportunity to present their case and have their response taken into consideration before a final decision is made.

Complaint Management Process

This section is a guide to how ReturnToWorkSA will manage complaints received in relation to assessors. The process may be adjusted depending on the specific nature of the complaint.

High level process:

Step	Who	Comment
Complaint received and assessed. Confirm the complaint is relevant to assessor obligations under the Accreditation Scheme or Impairment Assessment Guidelines.	Impairment Assessment Services Team member or other suitable person nominated by Scheme Regulator (subsequently referred to as Investigator)	If the complaint is not relevant to assessor obligations under the Accreditation Scheme or Impairment Assessment Guidelines this process ends. The complaint will be recorded in all circumstances.
Write to assessor setting out issues raised/allegations and requesting a written response	Investigator	The assessor is afforded an opportunity to provide their perspective and any information or evidence.
Assessor response received and reviewed.	Investigator	Further information may be requested by the Investigator from any relevant parties, including the assessor. This may also include face to face meetings.
Report prepared summarising complaint investigation and recommended outcome.	Investigator	
Report and all relevant evidence reviewed. Decision made as to whether complaint is substantiated, partially substantiated, or unsubstantiated. Any corrective or remedial actions to be identified.	Delegate	The complainant will also be advised of the complaint decision by the delegate.
Write to assessor advising of the complaint decision and any proposed remedial action. Assessor is provided	Delegate	The assessor will be given an opportunity to respond in relation to the proposed remedial action before the action is confirmed.

with an opportunity to respond in relation to any proposed remedial action.		If there is no proposed remedial action, the complaint is closed at this point.
Assessor response received and reviewed. The proposed remedial action will be confirmed or updated.	Delegate	
Assessor advised in writing of the confirmed remedial action.	Delegate	
Monitoring to ensure remedial action is completed.	Delegate	Evidence of the completion of required actions should be provided by the assessor to ReturnToWorkSA.

Assessor performance management process

This section is a guide to how ReturnToWorkSA will manage assessor performance issues. The process may need to be adjusted based on the specific nature of the performance issues. ReturnToWorkSA and the other parties involved may elect to obtain legal advice or other external expert advice at any stage during this process. Face to face meetings will be held where this may assist the management of the process and/or the effective resolution of the issue.

In accordance with the Accreditation Scheme:

- Any decision regarding the suspension or cancellation of an assessor's accreditation must be made by the Minister. ReturnToWorkSA will provide a recommendation to the Minister, who will seek advice and information as he considers appropriate.
- ReturnToWorkSA may impose requirements for remedial action as an alternative to the Minister suspending or cancelling the accreditation for an assessor. Examples of remedial action may include retraining or coaching or the removal of a body system from the accreditation where retraining or coaching has not resulted in improvement. ReturnToWorkSA may require that remedial action be at the assessor's cost.

If an assessor is dissatisfied with ReturnToWorkSA's decision to impose remedial action, they may request that the Minister review the decision by writing to the Minister.

The performance management process may be triggered by the receipt of complaints/concerns, by a specific incident, or by regular review of performance information.

High level process:

Step	Who	Comment
Confirm there is evidence of repeated instances of non-compliance with the specific terms and conditions, services standards, or other obligations of the Act, the Accreditation Scheme and/or Impairment Assessment Guidelines.	A panel comprising suitable staff and a senior manager from the Regulation business group (Panel lead) will be convened (Panel).	The Panel will review all evidence and form a preliminary view as to whether further investigation is appropriate at this time. If the Panel considers the evidence on hand does not merit further investigation, this process ends.
Prepare a report on the alleged instances of non-compliance with the specific terms and conditions, services standards, or other obligations of the Act, the Accreditation Scheme and/or Impairment Assessment Guidelines that appear to have been breached. Report must summarise all relevant evidence.	Panel	
Review panel report and determine	Delegate	If the delegate decides not to proceed with an

whether to proceed with an investigation.		investigation the process ends.
Write to assessor setting out the alleged non-compliance and requesting a written response. A meeting may be convened to discuss the alleged non-compliance.	Panel lead	The assessor is afforded an opportunity to provide their perspective and any information or evidence.
Assessor response received and reviewed.	Panel lead	Further information may be requested from any relevant parties, including the assessor. This may also include face to face meetings.
Report prepared summarising all information received.	Panel lead	
Report and all relevant evidence reviewed. Decision made as to whether remedial action is appropriate, or whether to recommend to Minister that assessor's accreditation is suspended or cancelled.	Delegate	If the delegate decides no further action is required the process ends. The assessor will be advised in writing if this is the outcome.
Assessor advised in writing of proposed ReturnToWorkSA action and asked to show cause as to why action should not proceed.	Delegate	The assessor will be given an opportunity to respond in relation to the proposed action before the action is confirmed.
Assessor response received and reviewed. The proposed action will be confirmed or updated.	Delegate	
Assessor advised of requirements for remedial action OR recommendation sent to Minister	Delegate	
Minister's decision implemented once advised.	Delegate	
Monitoring to ensure any remedial action is completed.	Senior manager	Evidence of the completion of required actions should be provided by the assessor to ReturnToWorkSA.