

Return to Work Coordinators

Guidelines for employers

February 2023



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Introduction

The *Return to Work Act 2014* (the Act) requires the appointment of a Return to Work Coordinator for organisations that employ 30 or more staff for any continuous period of three months or more.

To assist employers to understand and comply with their obligations surrounding the appointment, training and undertaking of the Return to Work Coordinator role, ReturnToWorkSA has published these training and operational guidelines in accordance with the Act.

Employers have a responsibility to ensure adherence to these guidelines.



Health benefits of work

There is medical evidence¹ to support that work is important for a person's physical and mental wellbeing and that returning to work following an injury has many health benefits which help workers recover faster. Appointing a Return to Work Coordinator ensures workers are supported as quickly as possible to achieve the best levels of recovery and return to work.

When an employer has a dedicated support person to assist in the management of injury and return to work, it demonstrates to workers that their health, safety and wellbeing is important.

As a workplace contact, the Return to Work Coordinator:

- has an understanding of the return to work process and what to do following a workplace injury
- is a dedicated resource for supporting workers, managers and leaders to navigate return to work, and a point of contact for claims agents, that supports effective management of claims
- can assist with early intervention treatment and strategies which reduce time away from work, therefore minimising impact to employer premiums
- contributes to positive workplace culture by educating staff and reducing stigma.

1 *Health benefits of work:* <https://www.rtsa.com/claims/returning-to-work/the-health-benefits-of-work>

Appointing a Return to Work Coordinator

Businesses employing 30 or more staff for a continuous period of three months or more in South Australia, are required to appoint (and retain) a Return to Work Coordinator. The Return to Work Coordinator must be based in South Australia.

This appointment must occur within six months of first meeting the requirement to appoint a Return to Work Coordinator.

If the appointed Return to Work Coordinator leaves or stops performing the functions of the role, the business must appoint a new Return to Work Coordinator within three months of this vacancy occurring.

Considerations when selecting and appointing a Return to Work Coordinator

When selecting and appointing a Return to Work Coordinator, employers should consider the experience, knowledge and skills required to perform the functions. This includes:

- a good knowledge of the workplace and the work carried out
- access to staff and supervisors with whom they need to discuss suitable employment
- an ability to communicate effectively and influence people
- the authority to make decisions about return to work on behalf of the employer.

An employer should appoint someone that is approachable, accessible and can build good rapport with workers. Consideration should be given to the appointed Return to Work Coordinator's position within the organisation and whether it could be a barrier to building open and trusting relationships which could delay recovery and return to work outcomes (i.e. CEO or senior leadership may not be appropriate).

As the Return to Work Coordinator plays an active role in early intervention and the return to work process, an employer must ensure that a Return to Work Coordinator, who has other role(s) within the business, is sufficiently capable of doing the role and is given the resources, including time, to perform its functions.

An employer may elect to appoint a South Australian based external third party Return to Work Coordinator. The employer is responsible for ensuring that the appointed Return to Work Coordinator has completed the Return to Work Coordinator certified training and is undertaking the role in accordance with these guidelines.

National organisations:

Organisations that operate in multiple states and territories throughout Australia **must** appoint a South Australian based Return to Work Coordinator, if they employ 30 or more staff for a continuous period of three months or more in South Australia.

Return to Work Coordinator Certification Training

An employer must ensure their appointed Return to Work Coordinator completes the Return to Work Coordinator certification training with a ReturnToWorkSA approved training provider within three months of appointing a Return to Work Coordinator. The one or two day training programs are delivered face-to-face or online.

To view the list of approved training providers and to book training, visit the ReturnToWorkSA website www.rtwsa.com or scan the QR code.



Notifying us of your appointed Return to Work Coordinator

An employer must notify ReturnToWorkSA when they have appointed a Return To Work Coordinator, as soon as practicable, by completing the Return to Work Coordinator Appointment form and emailing the form to coordinators@rtwsa.com.

This form is available from the ReturnToWorkSA website www.rtwsa.com or scan the QR code.



Functions of a Return to Work Coordinator

Employers have an obligation to ensure their appointed Return to Work Coordinator is performing the functions of the role. To effectively support recovery and return to work, a Return to Work Coordinator is expected to:

Provide support for an injured worker to remain at/return to work as soon as medically safe to do so

- Make timely contact with the worker to establish appropriate supports and services needed.
- Identify and address the worker's needs and any potential barriers to returning to work.
- Assist the worker to remain at work or return to work by consulting with the worker, employer and treating doctor about the worker's capacity for work while recovering from their injury.

Assist the claims manager in the preparation and implementation of recovery and return to work plan

- Collaborate with the worker and claims manager to contribute towards preparing and implementing a recovery and return to work plan.
- Identify and ensure suitable employment is provided, or in the instance of a gradual return to work, suitable duties, in accordance with the worker's certified work capacity.

Liaise with any person(s) involved in the medical treatment and services

- Communicate with the people involved in providing medical and return to work services to the worker. This includes participating in case conferences, meetings and medical reviews where appropriate.
- Keep the relevant parties updated about progress and changes in capacity and/or suitable duties the worker is undertaking or can perform.
- Prior to contacting a medical or health provider, ensure written medical authority has been obtained from the injured worker.

Monitor the progress of an injured worker's capacity to return to work

- Review changes, work capacity certificates, milestones achieved or other relevant information and ensure that meetings occur with the worker and their supervisor, either separately or together, to review progress.

Prevent the occurrence of further injury when a worker returns to work

- Ensure the cause of the injury is identified and rectified to prevent an aggravation, acceleration, exacerbation, deterioration or recurrence of the injury. This may include modification to the workplace, provision of equipment, or training.
- Manage any identified risks by using the hierarchy of control for hazard management (ie. elimination; substitution; engineering; administrative; personal protective equipment).

Supporting your Return to Work Coordinator

Requirement to provide facilities and assistance

An employer must provide the facilities and assistance reasonably necessary to enable a Return to Work Coordinator to perform their functions. This includes, but is not limited to:

- access to a workstation or office
- access to a telephone/mobile
- access to confidential email
- secure onsite storage for files, documents (including electronic) or material produced that contains personal and medical information about injured workers
- appropriate amount of work time to undertake the Return to Work Coordinator role.

Development of procedures

An employer must ensure everyone in the workplace understands how injury, recovery and return to work will be managed. An employer must develop, authorise and periodically review procedures that address:

- the functions of the Return to Work Coordinator
- rights and responsibilities of the injured worker and employer
- the role of leaders and co-workers in assisting the return to work process
- early reporting of incidents, injury or illness
- the return to work process
- maintaining the confidentiality of personal and medical information, and
- resolving grievances.

ReturnToWorkSA has tools and templates online to help organisations prepare and support any work injury claims. Visit our website www.rtwsa.com or scan the QR code.



Workplace education

An employer must inform leaders and co-workers of their roles in the recovery and return to work process. This may be included as part of induction, and/or discussed at team and/or tool box meetings. The name and contact details for your appointed Return to Work Coordinator must be displayed in the workplace.

How and where the information is displayed depends on individual business operations. This could include posters on notice boards in common and high traffic areas, or via the intranet.

Multiple workplaces

An employer who has more than one workplace, or is utilising a third party Return to Work Coordinator, needs to ensure that the appointed Return to Work Coordinator has a contact person available who can share information, report any issues and offer additional support to the worker in instances where the Return to Work Coordinator is not based at the worksite. The contact person could be the worker's direct manager or another appropriate person.

The contact person is not a trained Return to Work Coordinator and cannot undertake the functions on the Return to Work Coordinator's behalf, but can be a valuable resource to ensuring the Return to Work Coordinator is able to perform their full functions.

An employer can appoint more than one trained Return to Work Coordinator and should consider this option to support the function and the needs of the business.



Compliance with the *Return to Work Act 2014*

Confidentiality

An employer must ensure an injured worker's personal and medical information is protected against loss, unauthorised access, misuse, modification or disclosure.

Section 186 of the *Return to Work Act 2014* describes the obligations of an employer, or a person employed by an employer, who is registered under this Act, to not disclose information about an injured worker's physical or mental condition. A disclosure can occur in limited circumstances as set out in section 186.

ReturnToWorkSA can pursue criminal charges for a breach of confidentiality.

Penalties for non-compliance

If an employer is required to appoint a Return To Work Coordinator but fails to do so within the timeframe, financial penalties may be imposed (to a maximum of \$10,000.00), under section 26(3) of the Act.

Penalties can be imposed if an employer fails to support its Return to Work Coordinator in undertaking their role, and/or does not comply with any training or operational guidelines published by ReturnToWorkSA, as described in section 26(5) of the Act.

Employer resources and supports

ReturnToWorkSA's Employer Education Advisor team can assist employers to better understand their Return to Work Coordinator obligations.

The team also provides a range of free tools and services to help Return to Work Coordinators successfully perform in the role. These services include phone and email support, online resources and a skill building workshop program.

To find out more about our free employer supports and services visit our website www.rtwsa.com or scan the QR code.

For further assistance contact the Employer Education Advisor team:
Phone: **(08) 8238 5958** Email: coordinators@rtwsa.com



Frequently Asked Questions

I am considering appointing an external Return to Work Coordinator.

Does ReturnToWorkSA have a list of suitable providers?

No. ReturnToWorkSA does not endorse, recommend or maintain the details relating to external Return to Work Coordinator services. Employers are encouraged to undertake their own research and due diligence when identifying and engaging the services of an external Return to Work Coordinator.

Who provides Return to Work Coordinator certification training?

Return To Work Coordinator certification training can only be delivered by ReturnToWorkSA approved training providers. See page three for access to a current list of providers, including available training dates.

I have appointed a Return to Work Coordinator. How soon do they need to complete the training?

All Return to Work Coordinators must undertake ReturnToWorkSA prescribed certification training within three months of being appointed.

I've been working within the work injury industry for years – do I still need to do the training?

Yes. There is no recognition of prior learning as part of this course, and all Return to Work Coordinators must undertake ReturnToWorkSA prescribed certification training.

Does the Return to Work Coordinator certificate expire?

No. A person's Return to Work Coordinator certification does not expire, so it is important that Return to Work Coordinators maintain a copy of their certificate. To help Return to Work Coordinators stay up to date with current legislation and best practice return to work, ReturnToWorkSA offers a free skill building workshop program. Return To Work Coordinators can, and are encouraged to, repeat the Return To Work Coordinator certification training to support their knowledge.

I have previously completed Return to Work Coordinator training with an interstate provider. Do I need to complete the South Australian certification training?

It is ReturnToWorkSA's preference that training is undertaken with an approved South Australian training provider. ReturnToWorkSA will review the interstate certification, giving consideration to the type of training undertaken and time elapsed since training, prior to approving the appointment.

ReturnToWorkSA may require the nominated Return to Work Coordinator to provide additional information, meet with ReturnToWorkSA, participate in a skill building workshop or complete the South Australian course, prior to approving the Return to Work Coordinator's appointment.

Does the requirement only apply if we have 30 or more full-time equivalent workers?

No. The threshold of 30 or more workers refers to the total number of people employed by the business for the continuous period of three months or more, irrespective of whether those workers are employed on a full-time, part-time or casual basis. Businesses that have less staff can still appoint a Return to Work Coordinator and reap the benefits of having a dedicated return to work support.

Do we include contractors when determining if we meet the threshold to appoint a Return to Work Coordinator?

Contractors that you engage who are already employed by an organisation (i.e. labour hire staff) do not need to be included when determining if your business meets the 30 or more worker threshold. Independent or sole contractors may need to be included if they meet the definition of a worker, under the *Return to Work Act 2014*.

The “Who is a Worker?” guide on our website provides information about whether these workers form part of an employer’s remuneration and therefore should be included in their total workforce for the purpose of appointing a Return to Work Coordinator.

My business has an interstate team responsible for managing work injury insurance claims and return to work. Does the business still need to appoint a Return to Work Coordinator based in South Australia?

Yes. An employer must appoint and retain a Return to Work Coordinator based in South Australia if they meet the number of workers threshold. The interstate team can support the South Australian based Return to Work Coordinator, however the South Australian based Return to Work Coordinator must be actively involved in managing all work injury claims within South Australia and undertaking all of the functions stipulated under the *Return to Work Act 2014*.

Do I need to employ an additional person to undertake the Return to Work Coordinator role?

No. There is no expectation that an organisation employs an additional person to undertake the Return to Work Coordinator role. The majority of Return to Work Coordinators appointed hold other roles within an organisation including safety, HR, administration and leadership.

Who can perform the Return to Work Coordinator role?

The Return to Work Coordinator role can be performed by anyone within the business, so long as they are based within South Australia and have completed the required training.

See page three of these guidelines for considerations when selecting and appointing a Return to Work Coordinator. An employer can appoint an existing employee or engage the services of an external Return to Work Coordinator.

For further assistance contact the Employer Education Advisor team:
Phone: **(08) 8238 5958** Email: **coordinators@rtwsa.com**





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ReturnToWorkSA

www.rtwsa.com

Phone: 13 18 55

info@rtwsa.com

400 King William St, Adelaide
South Australia 5000

Opening hours:

8:30am – 5:00pm Monday to Friday

If you are deaf or have a hearing or speech impairment you can call ReturnToWorkSA on 13 18 55 through the National Relay Service (NRS)

www.relayservice.gov.au.

For languages other than English call the Interpreting and Translating Centre on **1800 280 203** and ask for an interpreter to call ReturnToWorkSA on **13 18 55**.

For braille, audio or e-text of the information in this brochure call **13 18 55**.

The information in this publication is compiled by the Return to Work Corporation of South Australia. The data and facts referred to are correct at the time of publishing and are provided as general information only. It is not intended that any opinion as to the meaning of legislation referred to is to be relied upon by readers. You should seek independent or legal advice as to any specific issues that are relevant to you, your workplace or organisation.