Expression of Interest for registration as a single or group self-insured employer

Expression of Interest

If you are contemplating an application for registration as a self-insured employer, you are required to complete and submit an Expression of Interest.

Prior to completing an Expression of Interest you should:

* Make a time to discuss the terms and conditions of registration as a self-insured employer with ReturnToWorkSA.
* Familiarise yourself with Return to Work legislation, the Code of Conduct for self-insured employers (Code) and the guidance materials available on the ReturnToWorkSA website.

We also recommend that you contact existing self-insured employer(s) and the Self-insured employer association (SISA) to develop an understanding of the requirements of registration.

**Expression of Interest**

Thepurpose of this phase is to build your understanding of what is involved in being a self-insurer and the requirements of the application process before you make any formal application.

This phase comprises initial discussions and information sharing. You need to complete an expression of interest to facilitate this process.

We will review your expression of interest and provide high-level feedback on your potential suitability for self-insurance.

ReturnToWorkSA will not undertake any evaluation activity or provide any assessment of your WHS or injury management systems as part of this phase.

**Continuous Disclosure**

The information required in an Expression of Interest is based on performance information available at the time of the Expression of Interest. You will need to notify us of any material changes during the period of application.

# Expression of Interest

Part A: Employer details

**Section 129 (1) of the *Return to Work Act 2014***

Please provide details of your organisation including the following:

1. The company full legal name, ACN and ABN of the applicant and any related body corporate;
2. Name of the legislation the company is incorporated under;
3. ReturnToWorkSA registration number(s) for the applicant and any related body corporate (including cancelled employer registration(s));
4. A profile for each of the related bodies corporate subject to this application including details of:
   1. nature of operations undertaken by the applicant and any related body corporate;
   2. industries in which the applicant and any related body corporate operates;
   3. revenue and operating profit for the previous five years for the applicant and any related body corporate.
5. Other jurisdictions the employer or group of employers operates in as a self-insured employer. Please include details of any conditions or restrictions placed on the employer or group of employers’ self-insurance registration.

Part B: Details of related bodies corporate

**Section 129 (2) of the *Return to Work Act 2014***

In this section identify all members of the group to be included in the application. (To be completed if any related bodies corporate/associated entities are employers in South Australia)

1. Provide a list of any related body corporate that employed people in South Australia sold in the last three years. Please provide names, ReturnToWorkSA registration numbers and approximate dates they were sold.
2. Provide a list of any related body corporate that ceased operation in the last three years – please provide names and ReturnToWorkSA registration numbers.
3. How does your group report financially under the Corporations Law? (E.g. does your company prepare a set of financial accounts or has your company been exempted from the financial reporting requirement, if so, why?)
4. Provide details of any related bodies corporate that you believe should be excluded from an application for a group registration? If so, please identify these related bodies corporate and your reasons for seeking the exclusion.
5. If you achieve self-insurance as a group, which of your group companies is nominated as the deemed employer of all group employees? (refer to section 129(12) of the *Return to Work Act 2014*)
6. Provide details of the structure of the employer or group of employers outlining the lines of control between each related body corporate, a corporate structure showing all companies in the group that employ in SA (or have ever employed in SA) and all corporate ownership levels up to the ultimate holding company. This also needs to identify the State in which each company operates, if in Australia, or if not in Australia, the company’s country of domicile.

Part C: Readiness for registration as a self-insured employer

***Section 129 (5) of the Return to Work Act 2014* (RTW Act)**

Please provide details of activities undertaken to establish an understanding of and preparation for the requirements of registration as a self-insured employer.

1. Acknowledge the obligations laid out in section 129(5) and Schedule 5 of the RTW Act and understanding that readiness and performance against these will be assessed as part of the formal application process.
2. Provide a high level outline of how you propose to manage Claims (e.g. outsourced, in-house).
3. Outline how you propose to manage complaints with reference to Schedule 5 Part 3 of the Act.
4. How will you ensure the services you deliver meet “the highest standards of service and fairness” in accordance with Schedule 5, Part 1, Section 2 of the RTW Act?
5. Acknowledge the prescribed requirement under Regulation 53 and Schedule 3 of the R*eturn to Work Regulations 2015* to submit (upon application):
   1. a statement, prepared by an actuary, of the liabilities that an employer would be undertaking over the first 12 months of registration; and
   2. the details of the financial guarantee or other security arrangements; and excess of loss insurance, that the applicant would obtain upon registration.
6. Acknowledge the obligation pursuant to section 64(3) and 64(4) of the RTW Act, to agree to the terms and conditions for the transfer of liabilities (including all the necessary financial calculations and adjustments), prior to the Board’s consideration of an application for the initial grant of registration.

Part D: Size and Financial Considerations

***Section 129(11)(b) of the Return to Work Act 2014***

Please provide details of your performance against the financial viability indicators used by ReturnToWorkSA to assess an employer’s likelihood of being able to continue to meet its liabilities.

1. For each of the following financial viability indicators, please provide a five year history of performance against benchmark indicators.
2. Balance sheet test (total tangible assets divided by total liabilities);
3. Gearing ratio, (total borrowings divided by total equity);
4. Liquidity ratio (current assets divided by current liabilities);
5. Cash Flow Margin (operating cash flow divided by net sales);
6. Profitability ratio, (pre-tax profit divided by total equity).

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| --- | --- | --- | --- | --- | --- |
| Industry Group | Balance Sheet | Gearing | Liquidity | Cash flow margin | Profitability |
| [INPUT] |
| Benchmark | [INPUT] | [INPUT] | [INPUT] | [INPUT] | [INPUT] |
| Year |  |  |  |  |  |
| Year |  |  |  |  |  |
| Year |  |  |  |  |  |
| Year |  |  |  |  |  |
| Year |  |  |  |  |  |

1. If not publicly available, please provide copies of the previous five years Annual Reports including annual audited financial statements and any further information you believe should be taken into account by ReturnToWorkSA when assessing performance against financial viability indicators.
2. A feasibility study may be helpful to understand the benefits and risks associated with registration as a self-insured employer. Has a feasibility study been undertaken including:
   1. the costs associated with payment of claims; and
   2. operating costs and the impact of liabilities and provision of financial guarantees on working capital?

If yes, please provide a copy of the study or a summary of the findings.

***Section 129(11)(a) of the Return to Work Act 2014***

1. How many employees are employed in South Australia (FTE and head count) for the applicant and any related body corporate? Please provide a summary of the fluctuations in this number over the past five years including reasons for material variation in these numbers.

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