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| Heads of Workers’ Compensation Authorities CERTIFICATION OF CAPACITY: A NATIONAL APPROACHPROGRAM OVERVIEW |

PURPOSE

The purpose of this document is to provide a high-level overview of the program of work on behalf of the Heads of Workers’ Compensation Authorities (HWCA) to scope a nationally-consistent approach to certification of capacity.

BACKGROUND

The benefits of a nationally-consistent approach to certification of capacity have been widely discussed and acknowledged by HWCA. Benefits of a national approach were particularly evident for jurisdictions that have significant volumes of transient workers who often sought treatment or recovery outside their place of employment.

Psychological illness for some worker cohorts such as fly-in fly-out workers was raised as a growing concern and it was noted a consistent approach to certification for these cohorts would be highly beneficial.

Other benefits identified from the consultation included:

* a collective opportunity to develop a national approach to certification informed by **best practice** and leveraging the most effective elements of various certificates (mental health and psychological assessment/certification being an example identified by many),
* a **single certificate of capacity** that can be used regardless of the state or territory a medical practitioner, injured worker or employer is located, which would also streamline certification processes for national employers and insurers,
* a **streamlined national approach** for engaging with the Royal Australian College of General Practitioners and to influence certification policy, education and behaviours, and
* an opportunity to **collect standardised national data** on certification practices and outcomes which can inform future policy and initiatives related to recovery and return to work.

At the last HWCA meeting in October 2018, a report was tabled outlining initial consultations regarding a national approach to certification of capacity. This report, completed by Comcare, on behalf of HWCA explored the above benefits, policy factors and implementation considerations of a nationally-consistent approach to certificates.

The HWCA group endorsed the further progression of this work, seeking the development of a national certificate of capacity data set. This HWCA action forms the basis of this program of work.

OBJECTIVE

This project will deliver a nationally-consistent approach to certification of capacity (national certificate of capacity) to be presented to the HWCA group and will be delivered by a working group, the National Certificate of Capacity Working Group (NCC WG).

The NCC WG comprises representatives from the following HWCA jurisdictions:

* Comcare (Chair)
* ACT Government
* NSW State Insurance Regulatory Authority
* NT WorkSafe
* Queensland Office of Industrial Relations
* ReturntoWorkSA
* WorkCover WA
* WorkSafe Tasmania
* WorkSafe Victoria

It is important to note that this program of work is not intended to be a redesign of certificates and is not intended to address matters that were experienced or raised as part of prior redesign activities.

APPROACH

It is proposed that a national certificate of capacity be delivered in a phased approach that will include work already completed as part of previous HWCA action.

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| Part 1 – engagement  | Stakeholder engagement with national and jurisdictional organisations representing:* Unions
* Employers
* Injured workers
* Medical practitioners
* Insurers and self-insurers

Estimated timing: January to April 2019 |
| Part 2 – behavioural economics review | Behavioural economics review of prototype certificate and common data set by expert to identify opportunities and make recommendations to influence and maximise positive health and return to work outcomes through language, content and nuancing.Estimated timing: February to March 2019 |
| Part 3 – tabling | The final design of the national certificate to be presented and tabled to HWCA for consideration and/or next steps. A summary of engagement and consultation will accompany the final design, as well as advice regarding adoption and implementation should this be decided by jurisdictions.Timing: October 2019 HWCA meeting |

The high-level intent of the engagement is to ensure a NCC:

* delivers policy intent and objective of certification of capacity
* supports the parties/users involved in the certification and workers’ compensation process (employee, employer, insurer, regulatory authority, etc)
* aligns and promotes the principles of health benefits of work and return to work
* meets necessary legislative and regulatory requirements
* does not impose unnecessary/duplicate work or red tape to users of the certificate (e.g. GPs and insurers)
* is designed with a potential transition to a digital/electronic format in mind

To support the engagement process, the current NCC data set and prototype are attached for discussion. It is important to note that:

* the common data set has comprised of the elements that appeared in the majority of jurisdictional certificates of capacity (rather than minimum data set),
* supplementary sections are included in the common data set to account for specific question sets mandatory in jurisdictions (it is recommended for these sections to be reviewed by relevant jurisdictions), and
* the prototype has been developed to support the conceptualisation of a national data set (rather than comprise the final design of a certificate).