



Return to work coordinator Training and Operational Guidelines

Purpose

These guidelines are to assist employers to understand the requirements and functions of the return to work coordinator role. They detail the support and assistance employers must provide in order to ensure a coordinator can effectively carry out their required functions.

Scope

These guidelines apply to all employers required to appoint a coordinator and should be read in conjunction with the *Return to Work Act 2014* ('the Act') and the Return to Work Regulations 2015 ('the Regulations').

In particular, section 26(1) of the Act requires that an employer appoint (and retain) a coordinator whilst section 26(5)(c) states an employer who is required to appoint a coordinator must comply with training or operational guidelines published by ReturnToWorkSA.

Training Guidelines

Appoint a coordinator; experience, knowledge and skills

An employer must appoint a coordinator, unless exempt from requirements. Refer to the section *Exemption from requirements* below for further detail.

When selecting and appointing a coordinator, employers should consider the experience, knowledge and skills required to perform the functions. The coordinator must have:

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

Therefore the coordinator's position and authority within the organisation must be considered.

As the coordinator plays an active role in early intervention and the return to work process, an employer must ensure that a coordinator who has other role(s) within the business is sufficiently capable of carrying out the coordinator's functions.

Fill a vacancy

A coordinator must be appointed and trained within 3 months of the vacancy occurring.

Train a coordinator

An employer must ensure its coordinator:

- completes a training course approved by ReturnToWorkSA, or
- has completed training in another Australian jurisdiction approved by ReturnToWorkSA.

Details of the approved training course are located at www.rtwsa.com

Requirement to register a coordinator

An employer who appoints a coordinator, or fills a vacancy in the office of coordinator, must provide ReturnToWorkSA with the coordinators:

- name
- position title
- employer name (if not an employee, all details of the third party are also required)
- business address (the coordinator must be based in South Australia)
- mailing address
- telephone number(s)
- email address
- date of nomination
- date of certification, and certification number (from the training certificate issued)

The employer must forward this information to ReturnToWorkSA.

Operational Guidelines

Coordinator functions

The coordinator has a pivotal role in managing return to work following a work injury.

The coordinator functions are aligned with section 23(2) of the Act, this is to intervene as early as is reasonably practicable following injury and ensure those involved cooperate to achieve the best levels of recovery and return to work. Coordinator functions are listed in section 26(4) of the Act.

26(4)(a) to assist workers suffering from work injuries, where prudent and practicable, to remain at or return to work as soon as possible after the occurrence of the injury;

To fulfil this function, it is expected that the coordinator will make timely contact with the worker, appropriate to the worker's circumstances. The coordinator will provide support and assistance, identifying and addressing the worker's needs and any potential barriers to return to work. The coordinator will assist a worker to remain at work or return to work, in accordance with medical guidelines. The coordinator will consult with the worker, employer and treating doctor about the worker's capacity for work and suitable duties the worker can perform whilst recovering.

26(4)(b) to assist the Corporation in the preparation and implementation of any recovery/return to work plan for an injured worker;

To fulfil this function, it is expected that the coordinator will actively participate in return to work planning by preparing and submitting, or contributing to the preparation of, recovery/return to work plans. In line with work capacity certification, suitable duties will be negotiated. The coordinator will also consult with the case manager.

26(4)(c) to liaise with any persons involved in the provision of medical and other relevant services to workers;

To fulfil this function, it is expected that the coordinator will communicate with people involved in the provision of medical and other services, sharing information and encouraging teamwork. The coordinator will keep parties updated about progress and changes in capacity and/or suitable duties the worker is undertaking or can perform.

26(4)(d) *to monitor the progress of an injured worker's capacity to return to work;*

To fulfil this function, it is expected that the coordinator will monitor the progress of a worker's capacity for work, by reviewing changes, work capacity certificates, or other information or milestone is reached. Meetings occur with the worker and supervisor, either separately or together, to review progress.

26(4)(e) *to take steps to, as far as practicable, prevent the occurrence of an aggravation, acceleration, exacerbation, deterioration or recurrence of an injury when a worker returns to work.*

To fulfil this function, it is expected that the coordinator will 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.

The hierarchy of control for hazard management (elimination; substitution; engineering; administrative; personal protective equipment) must be used to manage any identified risk.

A supplementary payment may be applied to the employer's premium if the function or functions of the coordinator role are not performed. Please refer to *Compliance breaches* below for further information.

Employer Responsibilities

Confidentiality

An employer must ensure that an injured worker's personal and medical information is protected against loss and unauthorised access, use, modification or disclosure and against other misuse. Section 185 of the Act describes the obligation to maintain confidentiality in relation to a worker's medical condition and/or personal circumstances.

Facilities and assistance

An employer must provide the facilities and assistance reasonably necessary to enable a coordinator to perform their functions. These include, but are not necessarily limited to, the following:

- workstation or office
- telephone
- access to email
- secure onsite storage for files (including electronic) for any documents or material produced that contain personal and medical information about injured workers

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 review procedures that address:

- the functions of the coordinator
- rights and responsibilities for the injured worker and employer
- the role of managers, supervisors and co-workers in assisting the return to work process
- early reporting of injury or illness
- the return to work process
- maintaining the confidentiality of personal and medical information
- resolving grievances

Workplace training

An employer must inform managers, supervisors and co-workers of their roles in the recovery and return to work process. This may be included at induction, discussed at team and/or tool box meetings.

A coordinator's name and contact details must be displayed in the workplace.

Multiple workplaces

An employer who has two or more workplaces must also appoint a contact person at each workplace to assist the coordinator to perform their functions. The contact person is not required to be a trained coordinator.

The coordinator's functions must be performed at all workplaces where an employer is required to nominate and retain a coordinator.

Exemption from requirements

An employer is exempt from the requirement to appoint a coordinator if:

- they employ less than 30 workers, and
- the remuneration level is less than or equal to an amount that represents the employment of fewer than 30 workers as determined by the Corporation. The remuneration amount is located at www.rtwsa.com.

Compliance breaches

Failure to appoint a coordinator within 6 months after the requirement for an employer to be registered first arises, or within 3 months after a vacancy occurs can, in the event of prosecution, result in a maximum penalty of \$10,000.00 under section 26(3) of the Act.

Supplementary payments relating to coordinator compliance include:

An employer that fails to:

- (a) ensure its coordinator is performing all required functions as detailed in section 26(4) of the Act; or*
- (b) comply with any training or operational guidelines published by the Corporation for the purposes of section 26 of the Act.*

Where an employer has engaged a third party to facilitate coordinator functions on its behalf, the employer remains responsible if these functions are not carried out.

Failure to comply with requirements may result in the imposition of a supplementary payment. The authority to impose a supplementary payment is detailed within section 147 of the Act in accordance with the scheme approved by the Minister.

Specific details regarding the imposition of supplementary payments are contained within the Remissions and Supplementary Payments Scheme document and guideline.