



## Working with employers to improve RTW outcomes in NSW

---

### SIRA and SafeWork NSW Return To Work Project

#### What is the Return To Work (RTW) Project?

The RTW Project aims to improve RTW outcomes in NSW by working with employers to identify and mitigate any barriers or risks to a safe, durable return to work.

The project uses insurer claims data and data mining models to identify claims where RTW may be at risk of delay. This will lead to proactive engagement activities from a SafeWork NSW RTW Inspector, acting on behalf of the State Insurance Regulatory Authority (SIRA), to determine if the correct RTW program is in place and if further guidance or assistance is required. Both employers and workers identified by the project may be contacted by a RTW Inspector.

#### Who is responsible for the project?

SIRA has engaged SafeWork NSW to complete the project on their behalf. SIRA has the regulatory responsibility to ensure that all employers in NSW comply with their RTW obligations under the *Workplace Injury Management and Workers Compensation Act 1998*.

#### Why has SIRA initiated this project?

The principal objective of the project is to determine if proactive RTW Inspector involvement with employers will deliver improvements in RTW outcomes in NSW.

SIRA and SafeWork NSW trialled the RTW Project in the general NSW workers compensation scheme where it returned positive results. The project's proactive engagement strategy is now implemented as business as usual activity in the general scheme for RTW Inspectors.

Following the success of the project in the general scheme, SIRA is now working with specialised insurers in NSW to achieve similar outcomes.

#### What is the role of Coal Mines Insurance (CMI) in this project?

CMI submits claims data to SIRA, who is authorised to use this information to fulfil its functions under the NSW workers' compensation legislation.

#### What is the project timeframe?

SIRA and SafeWork NSW recently commenced the project with other NSW specialised insurers in late 2017. Employers with a CMI workers compensation policy may be contacted by SafeWork NSW from April 2018.

The project is expected to run for approximately nine months.

### What is the process that SIRA and SafeWork NSW will follow?

- Claims data is submitted by the insurer and reviewed on a monthly basis by SIRA.
- Where a claim is identified as being at risk of delayed RTW (an example being that the worker has been identified as being fit for suitable duties but hasn't returned to work), the claim is referred by SIRA to a RTW Inspector within SafeWork NSW.
- The RTW Inspector then follows up with the insurer to check the current status of the relevant claim.
- The RTW Inspector may then contact the employer and will (in most cases) conduct a worksite visit. The RTW Inspector will provide advice where necessary.
- Employers may be followed up to provide feedback regarding their experience of the intervention.

### Will workers be contacted?

The SafeWork NSW RTW Inspector may contact the worker to verify any of the information provided by the employer.

### Are there privacy issues with sharing claims data?

When a worker completes a CMI claim form, they authorise CMI to use and disclose their personal information for the purpose of assessing and managing the claim, such as medical and other treatment providers. They also consent to information being provided to SIRA who is authorised to use this information to fulfil its functions under the NSW workers' compensation legislation.

### What should employers do if they are contacted by SafeWork NSW?

Timely and sustainable RTW practices are beneficial to both the worker and the employer. SIRA and SafeWork NSW are proactively engaging with employers to provide assistance where needed to improve RTW outcomes.

We encourage employers to cooperate with requests from a SafeWork NSW RTW Inspector in the event they are contacted as part of this project.

Employers should also review their RTW Program to ensure it complies with SIRA's *Guidelines for workplace return to work programs* (the guidelines). All RTW Programs must comply with the 2017 guidelines within two years from 31 May 2017. In the meantime, RTW Programs must continue to comply with the September 2010 version.

Where can employers find more information about the new RTW guidelines? [Information for employers is available from the SIRA website](#) or you may like to [view their webinar](#) that explains the new guidelines.

### What is the benefit of early RTW for employers and workers?

Returning workers to work as soon as it is reasonably safe to do so promotes faster recovery, reduces the risk of long term disability and loss of workplace productivity.