

CONNECT2WORK GUIDANCE MATERIAL

INTRODUCTION

Research shows that work promotes recovery and reduces the risk of long-term disability and work loss. The focus of the NSW workers compensation system is supporting workers to recover at or return to work following a work-related injury.

Section 53 of the [Workplace Injury Management and Workers Compensation Act 1998](#) (1998 Act) allows the State Insurance Regulatory Authority (SIRA) to develop, administer and coordinate vocational rehabilitation schemes for workers.

If a worker and employer meet SIRA's eligibility criteria and program requirements, the worker and employer's use of the program will be accepted, and the insurer will administer the program costs.

PROGRAM BENEFITS

Connect2work is a voluntary short-term work placement with a host employer. It supports recovery at work for workers where:

- their pre-injury employer is unable to offer suitable work due to COVID-19 or
- they are looking for new employment.

The program provides host employers with a payment of \$200 per week.

The program is a SIRA initiative to support workers to continue with their recovery. It has been developed in recognition of the economic and business impacts of COVID-19 and can be accessed during the period of the pandemic.

DEFINITION OF TERMS

The term 'worker' is used until the point where a potential host placement is located. The term "trainee" is used once a suitable work placement is established.

An 'employer' who can provide a suitable work placement is referred to as a host employer (host)

The term 'insurer' refers to any NSW workers compensation insurer.

The term 'provider' refers to a SIRA approved workplace rehabilitation provider.

ELIGIBILITY

A worker is eligible if they:

- have capacity for work for at least 15 hours per week and their pre-injury employer is unable to offer suitable work due to the impact of COVID-19, or they are looking for new employment.
- are receiving, or are entitled to receive, weekly workers compensation payments under the [Workers Compensation Act 1987](#) (1987 Act) or just prior to the COVID-19 pandemic they were engaged in suitable work with their pre-injury employer.
- haven't accepted a commutation or work injury damages settlement.

An employer may be eligible if they:

- can provide a suitable work placement of at least 15 hours per week
- have no workers compensation liability for the trainee
- have no current employer/employee relationship with the trainee
- hold a current workers compensation policy with an insurer or a self-insurer's licence
- are not grouped with the pre-injury employer for workers compensation insurance or insured under the same group self-insurer licence as the pre-injury employer.

Note:

- If an employer has more than one trainee involved in a Connect2work program at any given time, they need to be able to provide adequate training and supervision. Consideration should be made to ensure they have the appropriate support in place given the social distancing requirements for COVID-19.
- NSW state government employers may use a Connect2work placement within other state government departments.
- A Commonwealth or interstate employer may be eligible for the program providing they meet the criteria.

PRINCIPLES

An application for the Connect2work program must meet the following principles:

1. The placement is appropriate to the person's skills, functional and work capacity and is the most suitable option for the worker's circumstances.
2. The placement will assist the worker to continue their recovery through work.
3. The goals of the placement support the worker's recovery at work plan.

PREPARING FOR THE HOST EMPLOYER PLACEMENT

The worker, insurer, employer or an approved workplace rehabilitation provider may determine that a host employer placement is a suitable strategy to help the worker recover at work during the COVID-19 pandemic.

SUITABILITY OF THE ROLE

Assessment of suitability of the host placement is to be managed by an approved workplace rehabilitation provider (provider).

A workplace assessment¹ must be conducted to match the specific goals of the placement and capacity of the trainee to the essential requirements of the job and assess the trainee's ability to perform the tasks safely.

It is essential that the trainee and host participate in the workplace assessment to confirm the host's capacity and willingness to offer duties that will support the trainee's recovery at work.

The assessment may occur remotely however the provider must ensure that the host has adequate controls in place to manage the trainee's safety. This includes managing social distancing requirements as per the state and [public health](#) directions. Any concerns raised during, or as a result of the workplace assessment should be discussed with the host in order to identify a solution for the placement to proceed.

Where equipment or workplace modifications; and/or certification or licences are required, the provider must ensure that these requirements are in place prior to commencement of the work placement. The provider should discuss the needs with the insurer.

Any [Equipment](#), [education or training](#) requests must be made with reference to the principles and requirements outlined in the relevant guidance material.

CONFLICT OF INTEREST

Where there is either a professional or personal relationship between the proposed host and the trainee, or a business relationship between any of the parties involved which may give rise to a conflict of interest, the provider should outline why the program should be approved. This should include the strategies that will be implemented to address the conflict of interest.

The application will need to be endorsed by SIRA to proceed if there is a conflict of interest identified.

INSURANCE

The provider must ensure the host and trainee have the necessary insurance coverage before developing a Connect2work proposal.

Professional indemnity insurance

The host must have professional indemnity insurance covering the professional staff that will provide direction and supervision to the trainee if the work placement involves the provision of professional services (for example nursing, teaching, engineering), as the nominated supervisor is responsible for work performed by the trainee.

Public liability insurance

The host must have public liability insurance cover appropriate to their circumstances.

Workers compensation

A host must hold a current workers compensation policy with an insurer or hold a current self-insurer licence.

Note: During the placement, the trainee is not a ‘worker’ as defined by the 1987 Act and has no claim against the host’s workers compensation insurance. If the trainee experiences changes to their existing injury or a new injury during the placement period, this will be managed by the insurer as part of the worker’s existing claim.

Motor vehicle insurance - host

Where the trainee is required to drive in the course of performing duties during the placement, it is expected that a vehicle will be provided by the host. Vehicles owned by the host must have comprehensive motor vehicle insurance.

Where it is essential for the trainee to drive in the course of performing duties during the placement and the host is unable to provide a vehicle, the vehicle that will be used by the trainee must have comprehensive insurance.

Motor vehicle insurance - trainee

Any vehicle used by the trainee to travel to and from the placement must have third-party property insurance³ as a minimum level of insurance coverage.

CONFIDENTIALITY DURING THE PLACEMENT

Providers are to consider and address any issues relating to confidentiality, for example where the role involves access to personal information (e.g. medical receptionist, office worker). The provider should be satisfied that the trainee is aware of and will be trained by the host regarding any confidentiality or code of conduct requirements at that workplace.

LENGTH OF HOST EMPLOYER PLACEMENT

The length of the placement with a host will be dependent on the worker's recover at work plan and the host's capacity to provide supervision and/or training.

A trainee may participate in one or more Connect2work programs for a combined total period of up to 12 weeks.

Extension beyond 12 weeks will be considered by the insurer where it is the most suitable recover at work strategy for a worker.

CONFIRMATION OF AGREEMENT

Developing the Connect2work placement proposal

The provider completes a Connect2work [host employer agreement](#) and develops a recover at work plan in consultation with the trainee and the host, using information from the workplace assessment.

The forms must be completed and signed by the trainee, host and provider prior to the program commencement. The provider must ensure the trainee and host have a copy of the forms.

The provider should ensure:

- all parties understand their responsibilities and agree with the goals of the work placement
- the host employer has confirmed their capacity and commitment to provide adequate supervision and training to achieve the goals of the work placement
- the host is aware that the trainee will be participating in a supernumerary capacity, that all work must be appropriately supervised and that the nominated supervisor will be responsible for work performed by the trainee
- the trainee and host are aware of the notification requirements should the trainee experience a recurrence or aggravation of their existing injury, or sustain a new injury
- any equipment, workplace modification, education or training required is provided prior to the placement commencement
- evidence of the workplace assessment is retained on the trainee's file.

Program endorsement and quality assurance review

SIRA requires providers to implement an internal quality assurance review of all Connect2work proposals. The provider must follow their internal quality assurance processes to confirm the application meets eligibility, program principles and requirements.

Insurer endorsement of the work placement

Once the quality assurance review is completed the recover at work plan and host employer agreement is submitted to the insurer for review and endorsement.

The proposal must be submitted to the insurer five working days before the planned commencement of the work placement. The insurer will review the proposal against the guidance material and advise the provider if the work placement should proceed.

ACCESSING THE ASSISTANCE PAYMENT

The \$200 per week assistance payment is payable for each week a trainee attends the Connect2work placement. The payment will be calculated on the number of weeks the trainee participates in the placement. (up to a maximum \$2,400).

The assistance payment is claimed by (and paid directly to) the host using the [Vocational program - claim for payment form](#).

The host may claim the incentive payment at the end of the placement. If the placement is 6 weeks or longer, the workplace rehabilitation provider should discuss with the host the preferred reimbursement schedule and discuss this with the insurer to enable the placement to proceed.

To claim the incentive payments, the host completes a [Vocational program - claim for payment form](#) and submits the completed form to the workplace rehabilitation provider.

The provider reviews the claim for payment and submits the form to the insurer confirming the worker's attendance at the Connect2work placement for the period being claimed.

Following the provider's confirmation of worker's attendance, the insurer will make payments in line with the amount(s) approved and pay in a timely manner.

If the trainee commences the program and requires time off work (for example, for surgery or annual leave) or ceases the placement, assistance payments are not payable for the weeks that the trainee is absent from the placement.

The placement may resume if the trainee and host remain eligible and all parties agree that it is the most suitable recover at work strategy.

Host employers should consult their accountant or the Australian Taxation Office about how the assistance payment should be treated for taxation purposes.

Insurers must have controls in place to prevent duplicate payments being made and claimed.

Payment of related program costs

A completed [vocational program – claim for payment form](#) and relevant invoices or receipts must be submitted to facilitate payment.

Payments to the host should be made in line with the amount(s) approved. Payments to the worker for costs associated with attending the placement should only be made where there is evidence of cost/expenditure (e.g. tax invoice, receipts or record of travel such as a travel log or fares).

Up to \$300 may be paid in advance (where appropriate) for travel. Claims for travel expenses should be supported by a travel log which includes dates of travel, cost of fares/kilometres travelled and destinations.

Insurer

The insurer is responsible for administering payments for Connect2work.

Insurer / agent reimbursement

Insurers and agents can request reimbursement from SIRA for program cost in line with their usual reimbursement process.

MONITORING THE CONNECT2WORK PLACEMENT

Trainee

During the placement, the trainee agrees:

- to follow the recover at work plan and advice of the provider
- to follow the directions of the host (where these do not contradict the provider's advice), and
- to comply with the policies and procedures of the workplace.

It is in the trainee's best interest to maximise the training opportunities of their Connect2work placement. They should discuss any concerns or difficulties with the host and/or the provider to allow issues to be addressed promptly and effectively.

Host employer

In the host employer agreement, the host agrees to provide an appropriate level of training and supervision for the trainee.

It is the host's responsibility to provide direction and feedback, and to oversee work performed by the trainee. This may involve verbal instruction, observation, supervised attempts and the opportunity to practice tasks or skills, depending on the nature of the work. Effective, timely instruction and feedback maximises the trainee's opportunity for learning and skill development.

Workplace rehabilitation provider

The provider is responsible for proactively managing all aspects of the Connect2work placement to optimise the outcome for the trainee and ensure the trainee's goals are achieved. Monitoring should include:

- ensuring necessary equipment is available to the trainee upon commencement and that it is used appropriately so the trainee can meet their work responsibilities
- monitoring worker attendance during the placement
- ensuring the host provides the necessary level of supervision and performance feedback, as well as opportunities for training in the agreed tasks
- ensuring work duties are performed safely and in accordance with the recover at work plan
- anticipating and identifying barriers or issues
- using a collaborative problem-solving approach to implement solutions
- communicating progress and outcomes of the placement as agreed with the trainee, employer and insurer.

CHANGE IN CIRCUMSTANCES

A worker must immediately withdraw from the Connect2work placement if a commutation or work injury damages settlement is accepted.

A host must not make any payments to the trainee. If payments are made, the placement must cease, and employment arrangements be negotiated instead.

The provider should notify the insurer in writing if the Connect2work placement is withdrawn or ceased prior to completion of the recover at work plan.

WORK PLACEMENT EXTENSIONS/AMENDMENTS

Any extension or amendment to the Connect2work placement must be negotiated with the trainee, host and insurer. The application for extension/amendment must include sufficient information to demonstrate the change is necessary and that it will facilitate achievement of the trainee's goals.

A [vocational program – details form](#) must be completed a minimum of five working days before the requested change is implemented. The recover at work plan and host agreement should be updated as appropriate and the insurer should agree with the return to work strategy.

NOTIFICATION OF INJURY

If the trainee experiences a change to their existing injury or sustains a new injury that results in a change in their return to work status, need for treatment, or participation in the work placement:

- the trainee must promptly notify the host
- the trainee or the host must notify the provider within 24 hours of the injury
- the provider must notify the insurer and SIRA within 48 hours of receiving notification from the trainee or host (by phone and/or email)
- the provider is responsible for facilitating completion of the *injury* notification form (by the trainee and host), and ensuring it is returned to the insurer within one week of injury notification.

The insurer will review the injury notification form as well as any additional evidence and determine liability for the injury.

- Where liability is accepted, the insurer updates/reviews the injury management plan to include recommended management of the work placement injury.
- Where liability is disputed the insurer is to issue a decision notice in accordance with section 78 of the 1998 Act.

NOTIFICATION OF DAMAGES

If the trainee’s actions result in damage to plant or equipment:

- the trainee must advise the host immediately
- the host must advise the provider within 24 hours of the incident
- the provider must advise SIRA by emailing vocprograms@sira.nsw.gov.au within 24 hours of receiving notification from the host.

SIRA will notify the provider of further necessary action.

Note: SIRA may reimburse additional expenses for claims made on the host’s insurance policies, if they resulted from the trainee’s actions. Additional expenses are limited to the premium excess or increase directly resulting from the trainee’s actions.

Liability for negligence remains the responsibility of the host.

COMPLETING THE PLACEMENT

On completion of the Connect2work placement the provider evaluates the outcome with the trainee, host employer and insurer.

The provider must submit a [vocational program – closure report](#) to the insurer within five working days of completion of the work placement.

If the host offers the trainee employment after completion of Connect2work, the host may be eligible to use other SIRA vocational programs to support employment for the worker. Refer to the SIRA [programs](#) to support recovery at work for more information.

REVIEW PROCESS

If there is disagreement about eligibility or use of Connect2work, the worker should try to resolve the matter with the insurer in the first instance.

For information on what to do when a request to use a SIRA funded program has not been approved, find out [how to request a review of a program decision](#) please call us on 13 10 50 or email contact@sira.nsw.gov.au

1. To be conducted in accordance with the NSW supplement to the Guide.