

SUPPORT4WORK GRANT FOR SMALL BUSINESS GUIDANCE

1. INTRODUCTION

As the regulator of NSW personal injury schemes for motor accident and work-related illness or injury, SIRA ensures that businesses are protected from risk, remain sustainable and that injured people are supported to recover at work and return to their usual activities. In a post COVID-19 economic environment SIRA aims to support NSW businesses to thrive, and not just survive.

Research shows that work promotes recovery and reduces the risk of long-term disability and work loss following an injury.

Section 53 of the [Workplace Injury Management and Workers Compensation Act 1998](https://www.legislation.nsw.gov.au/#/view/act/1998/86) (1998 Act) allows the State Insurance Regulatory Authority (SIRA) to institute, administer and coordinate vocational rehabilitation schemes for workers with a workplace injury.

Section 3.41 of the [Motor Accident Injuries Act 2017](https://www.legislation.nsw.gov.au/#/view/act/2017/10) (MAIA) provides SIRA with the power to institute, administer or coordinate vocational and return to work support schemes for people recovering from a motor accident injury.

The Support4Work grant for small business (Support4work) has been developed in recognition of the economic and business impacts of COVID-19.

In this guidance material "injured person" refers to a person with a workers compensation or a motor vehicle accident claim to whom weekly payments are or may be payable.

If combined with other federal and state government financial support packages Support4Work will provide employers affected by COVID-19 with a significant financial boost to prioritise the return to work of injured people.

Return to work obligations

The 1998 Act outlines employers' return to work obligations to support their workers with a work-related injury to recover at work in a timely way if they have capacity to work.

The worker may ask their employer to provide them with suitable work, and the employer must comply with this request if it is reasonably practicable. A worker with work capacity must cooperate with their employer and insurer and make reasonable efforts to return to suitable work.

The MAIA supports a person to maximise their return to work or other activities.

2. PROGRAM SUMMARY

Support4work provides financial incentives to help a small business manage the recovery at work of an injured person while the business recovers from the economic impacts of COVID-19.

Support4work offers \$4,000 to support their workers' recovery at work and is paid to approved small businesses in two payments:

Payment 1: \$2,000, paid following the return of the injured person to the workplace.

Payment 2: \$2,000, paid following confirmation with both the small business and injured person, that return to work is continuing. The review will occur five weeks after recommencing employment.

Please see [accessing the grant payments](#) for information regarding ongoing eligibility.

3. ELIGIBILITY

A small business is eligible for the grant if they:

- employ up to 19 full-time (or equivalent) workers
- pay a workers compensation base tariff premium of \$30 000 or less
- hold a current workers compensation policy with an insurer in NSW covering the injured person who is recovering from injury
- are unable to offer suitable work due to the business impacts of COVID-19
- there is an existing working or employment relationship between the small business and the injured person prior to the injury.
Note: For workers compensation, the small business must be the pre-injury employer
- are now able to offer suitable work to the worker for 10 hours per week or more.

An injured person is eligible for the program if they:

- have current capacity/fitness for work for 10 hours per week or more
- are receiving or entitled to receive weekly payments under the [Workers Compensation Act 1987](https://www.legislation.nsw.gov.au/#/view/act/1987/70) (<https://www.legislation.nsw.gov.au/#/view/act/1987/70>) (1987 Act) or MAIA
- are an existing employee of the small business.

SIRA has a range of [programs to support recovery at work](http://www.sira.nsw.gov.au) (www.sira.nsw.gov.au). If you are not eligible for Support4work, you may be eligible for another program to support recovery at work.

If a small business has already utilised Recover at work for small business program, they are not eligible for Support4work.

A small business may not be eligible for Support4work if a personal relationship exists and is likely to give rise to a conflict of interest. This is particularly important where the injured person is the small business owner or a member of the small business owner's family.

Where a conflict of interest is identified between the injured person and small business, SIRA may request additional information and will decide at its discretion whether a small business is eligible for Support4work.

4. WHAT YOU NEED

To make an application you need to fill in all the information in the [Support4work application form](https://www.sira.nsw.gov.au/___data/assets/pdf_file/0008/870263/Support4work-grant-application-form.pdf) (https://www.sira.nsw.gov.au/___data/assets/pdf_file/0008/870263/Support4work-grant-application-form.pdf) and attach the supporting documents. To do this you need:

- workers compensation insurance details: a copy of the workers compensation certificate of currency or policy number for your business
- a copy of the injured person's current certificate of capacity/fitness
- small business letterhead with your business name, ABN, address, phone number, email address, bank account name, BSB account number and signature for the small business owner applying for the grant, or certified document if no business letterhead
- proof of identity of the applicant.

You should also discuss the grant and return to work with the injured person, and give them a copy of the injured person's fact sheet. If the injured person agrees, ask them to fill in the [Support4work grant for small business - application form injured person consent](https://www.sira.nsw.gov.au/___data/assets/pdf_file/0005/870278/Support4work-grant-injured-person-consent-form.pdf) (https://www.sira.nsw.gov.au/___data/assets/pdf_file/0005/870278/Support4work-grant-injured-person-consent-form.pdf). This is where they give their written consent to share their information with SIRA for the purpose of your business obtaining the grant. You should inform them that SIRA will use this information to assess the application for Support4work.

If they agree, you should discuss the steps to complete the consent form with the injured person and provide it to SIRA with your completed application form.

The injured person is under no obligation to fill in the form and are entitled to decide if their personal information should be used in this way.

5. HOW TO APPLY

If you wish to apply:

1. Check the eligibility criteria
2. Gather all your documentation and evidence
3. Fill in the [Support4work application form](https://www.sira.nsw.gov.au/___data/assets/pdf_file/0008/870263/Support4work-grant-application-form.pdf) (https://www.sira.nsw.gov.au/___data/assets/pdf_file/0008/870263/Support4work-grant-application-form.pdf), including attaching any supporting documents
4. Provide your bank details on your business letterhead
5. Review your application
6. Check the declaration boxes
7. Ask the injured person to fill in the [Support4 Work application form- injured person consent](https://www.sira.nsw.gov.au/___data/assets/pdf_file/0005/870278/Support4work-grant-injured-person-consent-form.pdf) (https://www.sira.nsw.gov.au/___data/assets/pdf_file/0005/870278/Support4work-grant-injured-person-consent-form.pdf)
8. Submit the application to SIRA at contact@sira.nsw.gov.au (<https://nswgov.sharepoint.com/sites/EmployerSupervisionReturntoWork-Newvocationalprograms/Shared%20Documents/New%20vocational%20programs/Support4work/contact@sira.nsw.gov.au>)

On receipt of your application you will be sent a confirmation email. All fields of the application form **must be completed** and supporting documents attached. Incomplete applications will not proceed.

SIRA may contact you if additional information to support your application is required.

By submitting your application, you agree that SIRA will undertake various checks to verify the identity and confirm eligibility of both the small business, the applicant (if not the business owner) and the injured person.

Generally, your application will be reviewed within 10 business days and you will be notified of the outcome of the assessment.

If you're not able to apply online, please contact SIRA via email on contact@sira.nsw.gov.au (<mailto:contact@sira.nsw.gov.au>) or call 13 10 50.

Privacy statement

SIRA is collecting personal information so that we can process the application for Support4work. SIRA may disclose personal and health information to third parties to process your application and verify the information provided in your application.

You are under no obligation to provide this information. If you do not provide the information requested, SIRA will not be able to process your application.

SIRA will take reasonable security measures to protect your personal information from loss, unauthorised access, use, modification, disclosure or other misuse. Your personal information will be held and disposed of securely at: SIRA, Level 6, 2-24 Rawson Place, Sydney, NSW, 2000.

For further details about how SIRA collects and manages personal information, and how you can access and correct it, visit SIRA Privacy at www.sira.nsw.gov.au/privacy (<https://www.sira.nsw.gov.au/privacy>).

6. ACCESSING THE GRANT PAYMENTS

Accessing the first payment

Support4work helps to support a small business offer suitable work to an injured person during the recovery COVID-19 period.

When submitting your application, you will be asked to provide your small business letterhead which includes your business name, ABN, address, phone number, email address, bank account name, BSB account number and signature and proof of identity documentation, this could include current drivers licence, Australian or foreign passport. Other primary evidence types can be used if this is unavailable. If your small business does not have a letterhead, a statutory declaration or certified document with relevant banking details can be provided.

If the applicant is not the business owner, authorisation by the small business owner for you to act on their behalf is also required.

SIRA will determine whether the small business meets the eligibility criteria and requirements on a case-by-case basis. If the small business and injured person meet the eligibility criteria and grant requirements SIRA will administer the grant costs.

If your application is approved, the first grant payment of \$2000 will be transferred generally within 10-15 business days from the date of approval.

Following SIRA approval for Support4work, you must provide the injured person suitable work if you have not already done so.

The grant payment can be used to assist you in paying the injured person's wages or any other related cost to support you to provide suitable work.

You must pay the injured person for the hours they work in accordance with their employment conditions. Weekly payments from the insurer will be adjusted depending on their earnings and paid in accordance with any arrangements in place with the insurer.

How to identify suitable work

Suitable work in general terms is suitable, modified or alternative duties. It should consider the nature of the injured person's capacity for work, their age, education, skills and work experience.

When providing suitable work, you must seek to ensure that work is, so far as reasonably practicable, the same as, or equivalent to, the role in which the injured person was in at the time of the injury.

When considering what tasks to offer, consider those closest to their pre-injury duties as the first option.

You can also consider:

- changing their hours of work
- modifying their duties
- giving them a different job
- a combination of these options.

In some circumstances a workplace assessment may be used to determine the suitability and safety of the duties.

If the injured person has a workers compensation claim talk with the insurer regarding the involvement of a workplace rehabilitation provider to support recovery at work and to help you identify suitable duties matched to the injured person's capacity for work. You should make sure you comply with any other obligations under the workers compensation legislation.

If the injured person has a motor accident claim, seek their consent to talk to the insurer to arrange a workplace assessment to support recovery.

If specific equipment or workplace modifications, prerequisite knowledge, skills, licences or certifications are required to achieve a safe and sustainable return to work, other [SIRA funded programs \(./?a=313205\)](#) may assist.

Accessing the second instalment

Five weeks following the date of commencement, if you wish to claim the second payment, you are required to submit the [Support4work claim for second payment form \(https://www.sira.nsw.gov.au/_data/assets/pdf_file/0006/870342/Support4work-grant-claim-for-second-payment.pdf\)](https://www.sira.nsw.gov.au/_data/assets/pdf_file/0006/870342/Support4work-grant-claim-for-second-payment.pdf) and attach the injured person's payslips for the period the injured person has returned to work and the injured person's current certificate of capacity/fitness.

It is the small business' responsibility to submit the claim for the second payment.

If there are significant changes to the injured person's recovery at work (since commencement of the grant) additional information may be requested to determine if you are eligible for the second payment.

A SIRA representative may complete a verification check with you and the injured person. The purpose of this is to confirm:

- provision of suitable work during the previous period
- suitable work will continue to be provided over the next five weeks
- any periods of leave taken.

The grant may be discontinued if you or the injured person are no longer eligible, for example there have been lengthy periods away from work or the injured person's capacity is reduced and they are unable to continue to work.

Following confirmation of ongoing eligibility, the second and final payment of \$2,000 will be made.

You should consult your accountant or the [Australian Taxation Office \(https://www.ato.gov.au/\)](https://www.ato.gov.au/) about how the assistance payment should be treated for taxation purposes.

7. COMPLETION

No further payments are available once the maximum amount of payment (\$4,000) has been made.

Ten weeks after the first payment was made, SIRA will send a completion survey to you and the injured person to conduct a final review to confirm recovery at work and to assist SIRA to evaluate the effectiveness of this grant.

8. FURTHER INFORMATION

If you are an injured person or small business or other stakeholder with an enquiry regarding Support4work, please contact SIRA on 13 10 50 or via email at [contact@sira.nsw.gov.au \(mailto:contact@sira.nsw.gov.au\)](mailto:contact@sira.nsw.gov.au).

9. REVIEW PROCESS

If there is a disagreement about eligibility or use of the program, you can contact SIRA to discuss the matter.

If SIRA has not approved your application, you can request an internal review of the decision. This will be conducted by a different decision-maker within SIRA.

You will need to make the request in writing, outlining your reason and include supporting information to address the eligibility criteria and program requirements.

You can send your request with any supporting information to SIRA via email to [contact@sira.nsw.gov.au \(mailto:contact@sira.nsw.gov.au\)](mailto:contact@sira.nsw.gov.au) or post to the Director, Employer Supervision and Return to work, State Insurance Regulatory Authority, Locked Bag 2906, Lisarow NSW 2252.

SIRA will:

- confirm that your request for a review has been received within two working days and let you know if any further information is required

- assess your Support4work application and advise you of the outcome within 10 working days of receiving all the necessary supporting information
- provide you with an opportunity to respond
- send you a letter to confirm the outcome of the review outlining the reason(s) why SIRA has or has not approved your application.

10. RESOURCES

Resources for other SIRA funded programs to support recovery at work are available at [www.sira.nsw.gov.au \(/?a=313205\)](http://www.sira.nsw.gov.au(/?a=313205)).