



Accredited rehabilitation and return to work program guideline – for insurers

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1. Introduction

All Queensland insurers must have an Accredited rehabilitation and return to work program (ARRTW program) under the [Workers' Compensation and Rehabilitation Act 2003](#) (the Act).

An insurer's ARRTW program is a summary of the system that you, an insurer, will use to manage the rehabilitation and return to work (RRTW) of workers with work-related injuries or illnesses, or to maximise their independent functioning. It outlines your commitment to assisting injured workers to achieve the best possible outcome following a work-related injury. It explains how you will facilitate early and safe rehabilitation and return to work (RRTW), including the use of rehabilitation and return to work plans (RRTW plans), and provides clear guidance for claims managers, employers and workers.

Best practice is that you invite worker input into the development of your ARRTW program, refer all injured workers to your ARRTW program, and that you make it clear to a worker whether they have been referred to your ARRTW program. Referral to your ARRTW program means that a worker will receive RRTW services and support appropriate to their individual needs.

You are responsible for developing your own ARRTW program and must submit it for accreditation by the Workers' Compensation Regulator. ARRTW programs are reviewed regularly by the Workers' Compensation Regulator, with accreditation provided for periods between twelve months and four years.

This guideline outlines what your ARRTW program must include to meet accreditation requirements. Your ARRTW program must address how you will manage RRTW processes for both statutory and common law claims, and it must detail:

- what will happen if a worker experiences an injury and makes a claim
- roles and responsibilities for RRTW
- how you will make your ARRTW program accessible or available, upon request
- how workers can access and participate in your ARRTW program
- what participation in your ARRTW program involves
- how you will provide reasonable services to support workers to access early intervention for psychological or psychiatric injuries
- how workers will be supported by your ARRTW program, including the strategic approach to managing their individual RRTW plans¹
- when and how you will measure and evaluate the effectiveness of your ARRTW program.

Note:

- Throughout this document, 'ARRTW program' refers to both provisional (submitted for accreditation) and accredited RRTW programs of the insurer.
- Where applicable, terms and words used in this guideline have the same meaning as defined under the [Act](#). For more information, see [Understanding rehabilitation and return to work terms, roles and responsibilities](#).

¹ To understand more about RRTW plans and for guidance on how to develop a RRTW plan, refer to the [Rehabilitation and return to work plans guideline – for insurers](#).

2. Rehabilitation and return to work process

In Queensland, the [Act](#) and the [Workers' Compensation and Rehabilitation Regulation 2014](#) establish the law in relation to workers' compensation and RRTW. Under the Act, insurers and employers have distinct and separate responsibilities for supporting workers who sustain a work-related injury to return to meaningful work early and safely, or to maximise their independent functioning.

Licensed self-insured employers must maintain actual and structural separation of their roles and responsibilities as an employer and as an insurer, including ensuring that workers' compensation documents are treated confidentially and not provided or used for a purpose relating to a worker's employment ([section 572A](#) of the Act). Non-compliance with section 572A is an offence.²

Insurer, employer and worker responsibilities for RRTW planning, and how these interact, are outlined below.³

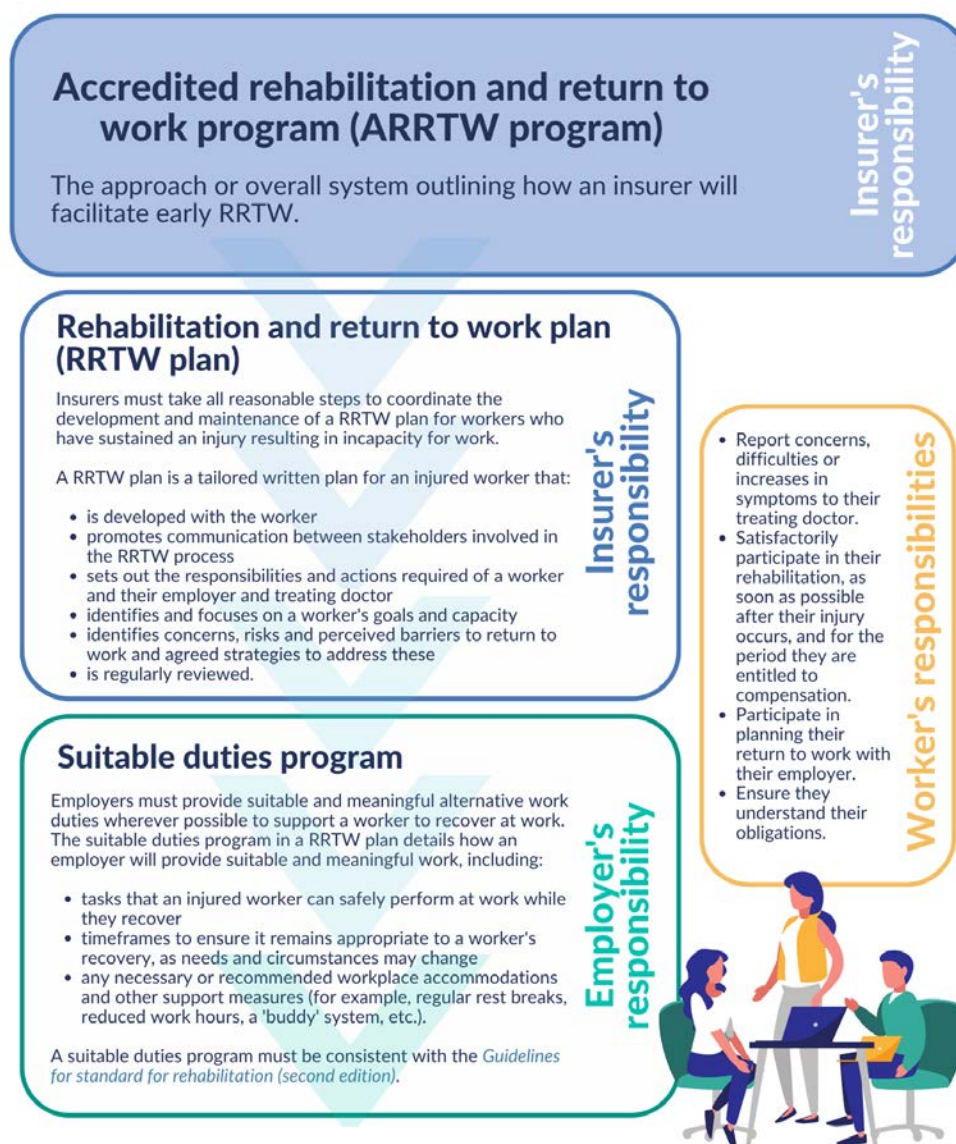


Figure 1: Responsibilities for RRTW planning

² The maximum penalty for an employer using workers' compensation documents for a purpose relating to a worker's employment is 100 penalty units. One penalty unit equates to \$143.75, under the [Penalties and Sentences Regulation 2015](#) (current as at February 2023).

³ For more information, see: [Rehabilitation roles and responsibilities | WorkSafe.qld.gov.au](#)

3. Who needs to be referred to your ARRTW program?

Referral to your ARRTW program means that a worker will receive RRTW services and support appropriate to their individual needs.

Best practice is that you:

- refer all injured workers to your ARRTW program, as referral may positively influence a potential return to work and optimise rehabilitation
- make it clear to a worker whether they have been referred to your ARRTW program.

Under the law a worker must be referred to your ARRTW program when they have stopped receiving compensation and have not returned to work. A worker may also request to be referred earlier.

You are not required to refer an injured worker to your ARRTW program if you are satisfied that your ARRTW program is not able to further assist a worker with rehabilitation for their work-related injury.

You must provide written reasons to a worker if you decide not to refer them to your ARRTW program and outline their review rights. Your injured workers may lodge a review with the Workers' Compensation Regulator if they are not referred to your ARRTW program, or if you decide they are no longer entitled to participate in your ARRTW program.

For more detail on when a worker must and may be referred to your ARRTW program, see [Section 220](#) of the Act.

4. What must your ARRTW program include to be accredited?

To be accredited, your ARRTW program must detail the systems you have in place to govern your approach to RRTW and support RRTW activities.

4.1 General guidance on presentation and accessibility

Your ARRTW program must:

- provide sufficient detail to simply and clearly explain to workers how you manage and facilitate early, meaningful and safe RRTW
- be written clearly and explain how you will ensure it can be understood by all workers (e.g. you will arrange an interpreter if/when required; you will provide access to a screen reader for a visually impaired worker, etc.)
- be presented as one document with any referenced or supporting information included in the one document
- be easily accessible—either publicly available for transparency or made available at a worker's request to a worker and their representative or support person (this may be their supervisor).

4.2 ARRTW program criteria

To demonstrate you are taking all reasonable steps to secure early RRTW for injured workers, your ARRTW program must address the following criteria.

Leadership and culture

Your ARRTW program must include evidence (e.g. commitment statements, policies) of your commitment to:

- align RRTW outcomes to your strategic objectives for early and safe return to work
- promote awareness of your ARRTW program and its benefits to workers and their representatives or support persons (e.g. via intranet, staff newsletters, induction materials, and during the claims/RRTW process)
- contact workers and offer assistance as early as possible to minimise harm
- maximise a worker's independent functioning following an injury
- facilitate early RRTW opportunities for workers
- implement the [health benefits of good work](#) and [evidence-informed practices](#) in return to work planning
- meet legislative requirements relating to RRTW
- encourage continuous improvement and better practice
- apply the return to work hierarchy (see [section 40](#) of the Act).

Rights and responsibilities

Your ARRTW program must clearly define:

- what services a worker can access as part of your ARRTW program
- a worker's rights within your ARRTW program
- the roles and responsibilities of key stakeholders participating in the program, aligned to the [Act](#) where possible⁴
- how you will meet your legal requirements (under [section 232AB](#) of the Act) for providing reasonable services to support workers to access early intervention for psychological or psychiatric injuries
- how workers will be informed of their right to seek a review if you refuse to refer them to your ARRTW program or if they are no longer entitled to participate in your ARRTW program
- who (workplace rehabilitation provider, insurer or other third-party provider) will deliver your ARRTW program (or parts of the program) and the details of this arrangement, including appointment processes, responsibilities, timeframes, and how effectiveness will be measured.

Communication and collaboration

Your ARRTW program must include evidence that:

- you will communicate about your ARRTW program and decisions about a worker's participation to a worker and their representative or support person at a worker's request
- you will clearly inform a worker whether they have been referred to your ARRTW program or not
- you will inform workers of their rights within your ARRTW program
- you will handle and protect workers' private information (in line with Australian [Privacy Principles](#)).

⁴ Stakeholders may include a worker; their employer and/or direct supervisor; insurer; rehabilitation and return to work coordinator; health and safety officers; treating health providers; worker's family, legal or union representatives and support person; and health and safety representatives. See [Understanding rehabilitation and return to work terms, roles and responsibilities](#) for more information on stakeholder roles and responsibilities.

Decision making and dispute resolution

Your ARRTW program must provide evidence of:

- how insurer staff will handle an issue or dispute raised by a worker participating in your ARRTW program
- decision making processes (evidenced by information on claim files) and how procedural fairness will be ensured
- the assessment process to determine if your ARRTW program is not able to further assist a worker
- who a worker can contact if they have concerns relating to your ARRTW program (e.g. via their claims manager, escalating to the manager of the claims team or the licence manager in the first instance, and channels available to make a complaint or provide feedback), including how to contact the [Workers' Compensation Regulator](#).

Measurement and evaluation

Your ARRTW program must provide evidence of:

- how you will measure and evaluate the effectiveness of your ARRTW program strategies (for example, monthly review of performance indicators for stay at work, return to work, average days to first return to work, final return to work outcome, satisfaction surveys, complaints and feedback from workers and service providers)
- the data you will use to measure the success of RRTW outcomes of workers participating in the program
- the methods you will use to review and evaluate performance data annually, to facilitate continuous improvement
- the capabilities and personal attributes, training competencies and/or suitable experience of claims staff involved in managing ARRTW program activities, to demonstrate they are appropriately skilled and trained
- the supports available to claims staff
- how you will document information about external providers⁵ engaged to perform functions on your behalf (e.g. contact details; timeframe of appointment; role and responsibilities; level of engagement with a worker), should you wish to engage a workplace rehabilitation provider to assist in developing and/or implementing a RRTW plan⁶
- how services provided by external providers will be measured and evaluated, and how workers can raise concerns about an external provider.

⁵ It is recommended that workplace rehabilitation providers either meet the requirements in the [Principles for practice for workplace rehabilitation providers](#) published by the Heads of Workers' Compensation Authorities (HWCA), or be engaged for services under WorkCover Queensland's *Return to Work Services Table of Costs*, which provides extensive quality assurance requirements for delivering RRTW services.

⁶ Consider the skills, training and experience of your claims managers to determine their capability to support complex claims, involving, for example:

- totally or partial incapacity for work for more than seven calendar days
- a diagnosis of multiple conditions; a complex physical condition; a physical condition with a secondary psychological condition
- uncertainty whether a worker can return to pre-injury duties
- a likely requirement for graded return to work and/or workplace accommodations
- a previous failed attempt at return to work
- an unclear return to work goal, or a return to work goal of 'new employer'.

For complex cases, you may wish to engage a workplace rehabilitation provider to assist in developing and/or implementing the RRTW plan. You will remain responsible for ensuring the RRTW plan meets legislative requirements.

4.3 Rehabilitation and return to work plan criteria

To be accredited, your ARRTW program must specify how you will identify individual workers' needs⁷ (for example, mine dust lung disease; non-English speaking) and manage their RRTW.

You must document this information in a worker's individual RRTW plan.⁸

Your ARRTW program must detail your strategic approach to managing individual RRTW plans, including addressing the following criteria.

Assessment of RRTW needs

Your ARRTW program must explain:

- when you may consider referring for the assessment of RRTW needs,⁹ as the first step in the process of developing a RRTW plan
- what is usually included in an assessment of RRTW needs, e.g.:
 - an interview with a worker
 - an assessment of the workplace and consultation with key stakeholders
 - documentation of the rehabilitation assessment and examination findings
 - a written report containing recommendations about the rehabilitation program.

Leadership and culture

Your ARRTW program must explain:

- how you will ensure that a written, tailored RRTW plan is developed for workers in a reasonable timeframe on acceptance of their claim (within 20 business in most cases, noting it is not necessary to wait until all medical information is received before developing the RRTW plan, as it can be updated later if new information is received that alters the plan)
- your process for developing and documenting a RRTW plan for every worker with an accepted claim¹⁰
- how the return to work hierarchy¹¹ (see [section 40](#) of the Act) is considered when developing each RRTW plan
- how you will ensure a worker's individual needs and goals are identified, reviewed and updated to remain a central focus of the RRTW plan.

⁷ For workers diagnosed with a mine dust lung disease, there are [expert medical guidelines](#) to assist with decisions on safe return to work. The guidelines include what levels of dust exposure are appropriate and requirements for ongoing health monitoring. The guidelines provide a best practice and evidenced-based framework that considers the individual circumstances of the worker's mine dust lung disease, including its severity and the best outcome that can be achieved.

⁸ To understand more about RRTW plans and for guidance on how to develop a RRTW plan, refer to the [Rehabilitation and return to work plans guideline – for insurers](#).

⁹ Appendix A in the [Rehabilitation and return to work plan guideline – for insurers](#) provides a better practice guide to the level of detail recommended in assessing RRTW needs.

¹⁰ The format, complexity and development timeframe of a RRTW plan may vary depending on the nature and circumstances of a claim and a worker's individual rehabilitation needs. See the [Rehabilitation and return to work plan guideline – for insurers](#) for more information.

¹¹ The purpose of rehabilitation is to return a worker to their pre-injury duties. If this is not feasible, in line with the return to work hierarchy, the purpose is to:

- return a worker, either temporarily or permanently, to other suitable duties with their pre-injury employer; or
- if this is not feasible, return a worker, either temporarily or permanently, to other suitable duties with another employer; or
- if the above options are not feasible, maximise a worker's independent functioning.

Rights and responsibilities

Your ARRTW program must explain how a worker's individual RRTW plan will:

- inform a worker of their rights relating to participating in their RRTW plan¹²
- inform a worker of the roles and responsibilities of each party involved in the RRTW plan
- include relevant information (provider name; appointment timeframe; how they are assisting) if you choose to engage an external provider/s to assist in developing or implementing the RRTW plan.

Communication and collaboration

Your ARRTW program must:

- explain how you will engage with relevant stakeholders, including a worker, their treating provider/s and their employer, in developing and implementing the RRTW plan
- detail how you will consult with relevant stakeholders to reach agreement on key milestones of the RRTW plan, and how you will document this process
- detail how and when you will report on the progress of the RRTW plan to a worker, their representative or support person (at a worker's request) and other relevant stakeholders
- explain how you will assess individual barriers and risks and develop strategies to address them in consultation with workers and employers
- provide evidence that you will inform a worker of the privacy of their RRTW plan, in line with the Australian [Privacy Principles](#)
- explain how a worker (or their employer) can raise any concerns about their individual RRTW plan with you (e.g. via their claims manager, escalating to the manager of the claims team or the licence manager in the first instance, and channels available to make a complaint or provide feedback), and how to contact the [Workers' Compensation Regulator](#).

Measurement and evaluation

Your ARRTW program must explain:

- how you will monitor to ensure that an individual RRTW plan has been developed for every worker that requires one, and that RRTW plans are available should the Workers' Compensation Regulator audit the insurer file
- how you will ensure RRTW plans are kept up to date and reviewed within reasonable timeframes and in response to new information, such as medical reports and correspondence
- how you will measure and evaluate the effectiveness of RRTW plans, including the data you will use to measure RRTW outcomes (e.g. short and long term goal attainment; return to work outcomes achieved; timely implementation and assessment of the RRTW plan)¹³
- how frequently you will review RRTW plan performance data.

¹² Note that a worker has a right to choose their own treating health provider/s, and does not need to attend the company doctor for treatment.

¹³ This detail may be included in your RRTW plan template (see the [Rehabilitation and return to work plan guideline – for insurers](#) for example templates).

5. Compliance

The Workers' Compensation Regulator is responsible for accrediting your ARRTW program and will undertake compliance monitoring activities including audits to ensure legislative obligations are met and evidence is available to demonstrate compliance. This process also enables the opportunity to reinforce positive behaviours in relation to RRTW planning and identify opportunities for continuous improvement for scheme insurers.

At the request of Workers' Compensation Regulatory Services (WCRS), you must provide evidence to demonstrate you are meeting the requirements of your ARRTW program. Better practice is for insurers to undertake self-audits using the audit process (see below) and transparently notify the Workers' Compensation Regulator of non-compliances and improvement action plans to address these.

To understand more about the principles, approaches and suite of compliance monitoring activities and tools, and the potential enforcement actions available to the Workers' Compensation Regulator, refer to the:

- [Workers' Compensation and Rehabilitation Act 2003 Compliance and Enforcement Policy](#)
- [Self-Insurer Performance and Compliance Framework](#)
- [Queensland Self-Insurer Audit Process](#).

6. How to apply for accreditation

Insurers are responsible for developing their own ARRTW program and must submit it to WCRS for accreditation by the Workers' Compensation Regulator.

You must submit your ARRTW program and any supporting information in one document.

You must demonstrate how you have met the mandatory criteria outlined in this guideline, and identify where evidence is available in your ARRTW program document to demonstrate you have met the criteria.

Applications can be submitted via email to: InsurerServices@oir.qld.gov.au.

7. Accreditation process

Your ARRTW program will be reviewed regularly by WCRS, with accreditation provided for periods between twelve months and four years.

WCRS will undertake a preliminary review of your ARRTW program and supporting information. In line with procedural fairness principles, you will have an opportunity to address any areas of concern identified during this preliminary review.

You must address and provide WCRS with a revised ARRTW program if requested to do so. Failure to adequately address any identified area of concern may result in your ARRTW program not being accredited.

The Workers' Compensation Regulator will accredit your ARRTW work program when satisfied that it meets the mandatory criteria.

For more information

Contact: wcr.education@oir.qld.gov.au for more information.

Subscribe to the [Rehabilitation and Return to Work e-bulletin](#) for the latest rehabilitation and return to work news, including updates on this guideline.



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