



Australian Government

Comcare

REHABILITATION MANAGEMENT SYSTEM SCHEDULED REVIEW REPORT

Australian National University
17-21 July 2023

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SCOPE OF REVIEW

Organisation	Australian National University (The University)
Site/Workplace	Review conducted remotely
Scope of review	<p>The review examined the University’s rehabilitation management system, processes and outcomes to validate that it is meeting its licence conditions and is complying with the <i>Safety, Rehabilitation and Compensation Act 1988</i> (SRC Act) and the <i>Guidelines for Rehabilitation Authorities Instrument 2019</i> (the Guidelines).</p> <p>Nine rehabilitation case files were examined by the auditors. These files included all rehabilitation case files where some activity had occurred in the previous 12 months.</p> <p>The review encompassed a review of all relevant policies and procedures as they relate to rehabilitation and return to work management and any other relevant, supporting documentation.</p> <p>Overall findings are based on the identification of issues that are considered to be systemic rather than isolated incidents.</p>
Criteria	<p>This review assessed the rehabilitation management system against three elements:</p> <ol style="list-style-type: none">1. Planning (1 criteria)2. Implementation (10 criteria)
Ratings	<p>The findings in the review report have been classified and marked as follows:</p> <p>Conformance—indicates that the criterion has been met.</p> <p>Non-conformance—indicates that the criterion has not been met.</p> <p>Not able to verify—indicates that the organisation has documented procedures in place however there are no cases to test that the organisation has followed those procedures. It is expected that this classification will only be used in limited circumstances and where applied, the reasons for the finding will be explained by the auditor.</p> <p>Not Applicable—indicates that the criterion does not apply to the organisation.</p> <p>Where a criterion has been met but the auditor has identified a ‘once off’ situation or a ‘minor’ deviation from the documented management system or reference criterion, an Observation may be made. These findings, while representing a non-fulfilment of a requirement, are recognised as being of lower risk to the organisation.</p>
Dates of review	17-21 July 2023
Auditors	<p>Elena Buchanan, Senior Assurance Officer, SRC Act Assurance Comcare</p> <p>Natalie Anderson, Senior Assurance Officer, SRC Act Assurance, Comcare</p>

Client contacts	Ingrid Krauss, Manager Injury, Prevention & Wellbeing, ANU Lisa McLoughlin, Senior Consultant, Claims Management, ANU
Record of review	This report contains a summary of the audit outcomes. Detailed information is not recorded in the report. A record of the documentation and records sighted, persons interviewed, observations and auditor comments are retained on the auditor's file.
Acknowledgement	Comcare wishes to acknowledge the cooperation and assistance provided by the management and staff of The University and thank them for their contribution to the review process.

EXECUTIVE SUMMARY

The University has held a self-insurance licence under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) since 1 July 2018. Comcare has conducted a review of the University's rehabilitation management system (RMS) against select criteria of Comcare's RMS Audit Tool. The review is a year 6 scheduled review in line with the requirements of the Safety, Rehabilitation and Compensation Commission's Licence Compliance and Performance Model (LCPM).

The review has identified a range of evidence relating to the implementation of rehabilitation management processes and activities, with consistent and systematic processes to rehabilitation management throughout formal and procedural documentation that is required to meet the RMS Audit Tool criteria and the relevant legislation. The University has demonstrated that it has a well-established RMS with a strong focus on rehabilitation and return to work of its injured employees.

During the review it was evident that the University's injury management team had a commitment to the wellbeing of the University's employees, return to work and injury management. The team demonstrated a depth of experience and knowledge in rehabilitation and claims management. The team's co-operation and willingness to work on any issues identified throughout the review demonstrated its commitment to continuous improvement.

The review found one non-conformance and one observation.

Non-conformances

One non-conformance was identified during the review.

Criterion	Non-conformance
3.13	The file review demonstrated that The University did not maintain the relevant level of reporting resulting in discrepancies in the auditable trial.

Observations

One observation was identified during the review.

Criterion	Observation
3.9	The University's system documentation is not in accordance with the SRC Act and the Guidelines as it still provides for issuing rehabilitation program closure determinations. The requirement to issue such determinations ceased in 2019 when the amended Guidelines came into effect.

In summary, for the 11 criteria within the rehabilitation management system audit tool, the outcomes are:

	Number of criteria	% of assessed criteria
Conformance	8	89%
Non-conformance	1	11%
Not able to verify	2	
Not applicable	0	

An action plan, which includes completion/review dates and responsibilities, must be developed to address each of the review findings.

The auditors invite The University to discuss any aspect of this review.



Signed		Signed	
Auditor name	Elena Buchanan	Auditor name	Natalie Anderson
Date	2 August 2023	Date	2 August 2023

TABLE OF CRITERIA

Audit element/criterion description	Criterion	Rating
2. Planning		
Delegation schedule	2.1	Conformance
Employees are aware of rights	3.3	Conformance
Early intervention	3.5	Conformance
Rehabilitation assessments	3.6	Conformance
Rehabilitation programs	3.7	Conformance
Suitable employment	3.8	Conformance
Determinations in accordance with the SRC Act	3.9	Conformance with observation
Employee non-compliance	3.10	Not able to verify
Reconsiderations	3.11	Not able to verify
Privacy and confidentiality	3.12	Conformance
Reporting, records, documentation	3.13	Non-conformance

ELEMENT 2: PLANNING

Administrative arrangements

Criterion 2.1

The rehabilitation authority has a delegation schedule, signed by the principal officer, as per section 41A of the SRC Act.

Finding

Evidence:

- ANU RMS Delegations Schedule, dated 19 May 2023
- Delegations Report Extract
- Internal Memo to Vice-Chancellor, ANU Workers' Compensation Delegations, dated 16 May 2023
- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- People and Culture Division Organisational Structure, dated July 2023
- File review

Comment:

The Delegations Schedule is signed by Brian Schmidt, Vice Chancellor of the Australian National University, and assigns the powers and functions of the rehabilitation authority under section 41A of the SRC Act to the University's employees outlined in the document.

The positions in the Delegations Schedule are in line with the positions specified in the organisational structure for the People and Culture Division.

The file review demonstrated that determinations were signed by an appropriate delegate as per the Delegations Schedule.

ELEMENT 3: IMPLEMENTATION

Communication and awareness

Criterion 3.3

The rehabilitation authority communicates relevant information regarding the rehabilitation process to its employees including their rights and obligations.

Finding: Conformance

Evidence:

- ANU Intranet Pages
- ANU Rehabilitation and Compensation Procedure, Version 14, dated 13 September 2021
- ANU Rehabilitation and Compensation Policy, Version 5, dated 13 September 2021
- ANU Workers Compensation Claim Pack, Version 6.0, dated 20 December 2020

- All About Workers' Compensation – A Guide for Injured Employees, no version control, undated
- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- File review

Comment:

Evidence provided demonstrates that The University has several mechanisms for communicating relevant information regarding the rehabilitation process to its employees including their rights and obligations.

The Rehabilitation and Compensation Policy demonstrates the University's commitment to providing employees with relevant information about claims and injury management including their rights and obligations.

Information for employees is directly available through the University's workers compensation and injury management Intranet Pages. They provide employees with information on the workers compensation and rehabilitation process, including their rights and obligations and key policies and procedures.

The Rehabilitation and Compensation Procedure outlines staff's rights and obligations in the injury management process and details roles responsible for ensuring that those are clearly explained to staff.

The claims pack and the guide for injured employees is provided to all employees wishing to make a claim for compensation and provides extensive information about the process including privacy and the right to reconsiderations.

The Rehabilitation Manual outlines the process for ensuring effective communication with all parties in the injury management process which includes injured employees and sets the minimum expected communication touch points in the rehabilitation process.

The file review demonstrated that The University communicated all relevant information to employees. The rehabilitation determinations were well set out, provided all relevant information in plain English for employees to understand and included a notice of rights.

Early intervention

Criterion 3.5

The rehabilitation authority implements an early intervention program, including the early identification and notification of injury.

Finding: Conformance

Evidence:

- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- ANU Intranet Page – Guideline: Early Intervention Assistance
- File review

Comment:

The University has an early intervention program, including the early identification and notification of injury.

The University has an online incident reporting system on its intranet, Figtree workplace safety incident & hazard reporting tool. The Intranet Page provides a step-by-step process for early identification and notification of injury to facilitate early intervention as soon as practicable after the injury.

Chapter 5 of the Rehabilitation Manual provides comprehensive information on incident and injury reporting and outlines the University's early intervention program 'Early Intervention Assistance'. The chapter details how the program is implemented, its principles, parameters and what services can be accessed through the program. The information about the program is available to the University's employees on the Intranet.

Rehabilitation assessments

Criterion 3.6

The rehabilitation authority effectively uses the provisions of section 36 to conduct rehabilitation assessments in accordance with the SRC Act and the Guidelines.

Finding: Conformance

Evidence:

- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- Rehabilitation Assessment/Examination section 36 Determination Template, no version control, dated July 2023
- Rehabilitation Assessment/Examination Referral Template, no version control, dated July 2023
- ANU Claims Management Manual, Version 3.3, dated 21 July 2023
- File review

Comment:

The evidence demonstrates that The University has arrangements to ensure it effectively uses the provisions of section 36 to conduct rehabilitation assessments in accordance with the SRC Act and section 8 of the Guidelines.

Chapter 6 of the Rehabilitation Manual outlines the section 36 assessment and examination procedure including:

- selecting an appropriately qualified and appropriate assessor
- the nature of information to be supplied to the assessor
- requirements of the assessment and written report
- how the assessment is communicated to stakeholders.

The procedure in the manual is supported by the Rehabilitation Assessment/Examination Templates. The templates detail the requirements of section 36 and outline the anticipated next steps following the rehabilitation assessment.

The Claims Manual outlines section 36 assessments considerations in the context of claims management.

The file review demonstrated that The University effectively used the provisions of section 36 to conduct rehabilitation assessments in accordance with the SRC Act and the Guidelines.

There was one instance where there was no evidence on file of the section 36 assessment report or that the employee had been provided with a copy of the assessment report. The individual file finding is detailed in the table at the end of the report.

Rehabilitation programs

Criterion 3.7

The rehabilitation authority provides rehabilitation programs in accordance with section 37 of the SRC Act and the Guidelines, and ensures consultation occurs between all parties in regards to the rehabilitation process.

Finding: Conformance

Evidence:

- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- ANU Claims Management Manual, Version 3.3, dated 21 July 2023
- Rehabilitation Program Template, no version control, undated
- Rehabilitation Program Alteration Template, no version control, dated July 2023
- Rehabilitation Program Closure Record Template, no version control, dated July 2023
- Rehabilitation Program Cessation Determination Template, no version control, dated July 2023
- Work Trial Agreement Template, no version control, dated July 2023
- File review

Comment:

The evidence demonstrates that The University has arrangements to ensure it provides rehabilitation programs in accordance with the provisions of section 37 of the SRC Act and section 9 of the Guidelines.

The Rehabilitation Manual in chapter 6 and the supporting rehabilitation program templates provide arrangements and outline processes for a Section 37 Rehabilitation Program. They cover the following:

- decision to provide a rehabilitation program
- key personnel in developing a rehabilitation program
- consultation with key stakeholders and effective communication
- identifying suitable duties and program implementation
- factors to be considered in determining a rehabilitation program
- monitoring and reviewing the program
- determining a rehabilitation program alteration
- rehabilitation closure.

The Rehabilitation Manual in chapter 7 provides for evaluation of the rehabilitation process which includes Figtree reporting, weekly case review meetings for the rehabilitation staff, monthly meetings with the University's claims team, individual case

reviews, review meetings with Workplace Rehabilitation Providers and regular meetings with key stakeholders in the Colleges and Divisions.

The file review demonstrated that The University provided rehabilitation programs in accordance with section 37 of the SRC Act and section 9 of the Guidelines, and ensured consultation occurred between all parties in regard to the rehabilitation process.

Suitable employment

Criterion 3.8

The employer takes all reasonable steps to provide employees with suitable employment or to assist employees to find such employment.

Finding: Conformance

Evidence:

- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- Rehabilitation Assessment/Examination section 36 Determination Template, no version control, dated July 2023
- Rehabilitation Assessment/Examination Referral Template, no version control, dated July 2023
- Rehabilitation Program Template, no version control, undated
- Rehabilitation Program Alteration Template, no version control, dated July 2023
- Rehabilitation Program Closure Record Template, no version control, dated July 2023
- Rehabilitation Program Cessation Determination Template, no version control, dated July 2023
- Work Trial Agreement Template, no version control, dated July 2023
- File review

Comment:

The evidence demonstrates that The University has arrangements in place to ensure it takes all reasonable steps to provide employees with suitable employment or to assist employees to find such employment.

Chapter 6 of the Rehabilitation Manual specifies legislative requirements applicable to the provision of suitable duties, details the process of identifying suitable duties and employment to ensure safe return to work, describes the return-to-work hierarchy, graduated return to work options and external redeployment.

A suite of rehabilitation templates supports the procedures detailed in the manual.

The file review demonstrated that all reasonable steps were undertaken to provide suitable duties to employees or assist employees with finding them. There was one instance where the records on the claim file did not include any information to establish if suitable duties had been identified, what they were and if they had been provided. The last medical certificate on the claim was from February 2023 clearing employee for full hours suitable duties but not pre-injury duties. The records in the Injury Management Module or the Claims Module did not have any further records since the medical certificate. The individual file finding is detailed in the table at the end of the report.

Determinations, Suspensions and reconsiderations

Criterion 3.9

The rehabilitation authority makes determinations in accordance with the SRC Act and the Guidelines:

- (i) that are in writing and give adequate reasons
- (ii) that are signed by the delegate
- (iii) that are not retrospective.

Finding: Conformance with observation

Evidence:

- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- ANU RMS Delegations Schedule, dated 19 May 2023
- Delegations Report Extract
- Rehabilitation Program Template, no version control, no date
- Rehabilitation Program Alteration Template, no version control, dated July 2023
- Rehabilitation Program Closure Record Template, no version control, dated July 2023
- Rehabilitation Program Cessation Determination Template, no version control, dated July 2023
- Rehabilitation Assessment/Examination section 36 Determination Template, no version control, dated July 2023
- Rehabilitation Assessment/Examination Referral Template, no version control, dated July 2023
- File review

Comment:

The evidence provided demonstrates that The University has appropriate arrangements in place to ensure that determinations are made in accordance with the SRC Act and the Guidelines.

The Delegations Schedule specifies who can make determinations relating to the rehabilitation functions under the SRC Act.

Chapter 6 of the Rehabilitation Manual stipulates that determinations must be in writing and set out the terms and reasons. It also stipulates that rehabilitation programs cannot be signed retrospectively.

The determinations templates outline the requirements of section 36 and section 37 of the SRC Act respectively and assist delegates with documenting the required level of information in their determinations. The templates include the statement of the rights to reconsideration and reference to suspension provisions. However, subsection 6.9.2 of chapter 6 of the Rehabilitation Manual and the Rehabilitation Program Cessation Determination Template is not in line with the current legislative requirements as they still provide for issuing rehabilitation program closure determinations. The requirement to issue such determinations ceased in 2019 when the Guidelines came into effect.

The file review showed that determinations were issued in accordance with the SRC Act and the Guidelines. There was one instance where a rehabilitation program cessation determination had been issued even though it was no longer a legislative requirement. The individual file finding is detailed in the table at the end of the report.

Observation:

The University's system documentation is not in accordance with the SRC Act and the Guidelines as it still provides for issuing rehabilitation program closure determinations. The requirement to issue such determinations ceased in 2019 when the amended Guidelines came into effect.

Criterion 3.10

The rehabilitation authority makes determinations in relation to employee non-compliance in accordance with the SRC Act, Guidelines and their written policy and procedures.

Finding: Not able to verify

Evidence:

- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- Rehabilitation Assessment/Examination section 36 Determination Template, no version control, dated July 2023
- Rehabilitation Program Template, no version control, no date
- Rehabilitation Program Alteration Template, no version control, dated July 2023
- File review

Comment:

The evidence provided demonstrates that The University has appropriate arrangements in place to ensure that determinations in relation to employee non-compliance are made in accordance with the SRC Act and section 11 of the Guidelines.

Chapter 8 of the Rehabilitation Manual provides a comprehensive framework on non-compliance with the rehabilitation process. It outlines the legislative and procedural fairness requirements, defines what is considered to be a non-compliance and a reasonable excuse, stipulates the suspension procedure and who can make a determination to suspend benefits. The framework also includes the suspension checklist to ensure all procedural and legislative requirements have been met before suspensions are issued. The manual is supported by a suite of templates which clearly outline legislative requirements and employee obligations and rights.

The auditors are not able to verify conformance with this criterion as there have been no claims where the rehabilitation authority made determinations in relation to employee non-compliance in the last 12 months.

Criterion 3.11

The rehabilitation authority complies with the provisions of the SRC Act when managing reconsiderations or reconsiderations of own motion.

Finding: Not able to verify

Evidence:

- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- ANU RMS Delegations Schedule, dated 19 May 2023
- Delegations Report Extract
- Section 62 Reconsideration Reviewable Decision Template, no version control, undated

- Section 62 Reconsideration on Own Motion Template, no version control, no date
- File review

Comment:

Chapter 11 of the Rehabilitation Manual outlines the procedure for managing reconsiderations and reconsiderations of own motion in line with the requirements of sections 62 and 63 of the SRC Act. The procedure details relevant delegates, timeframes for reconsideration requests by injured employees, reconsideration timeframes for the relevant delegates, information to be considered, requirements for a reviewable decision and distribution of reconsiderations. The procedure is further supported by a suite of reconsideration templates.

The auditors are not able to verify conformance with this criterion as there have been no reconsiderations applicable to rehabilitation determinations in the last 12 months.

Confidentiality

Criterion 3.12

The rehabilitation authority maintains the confidentiality of information and applies legislative requirements.

Finding: Conformance

Evidence:

- ANU Privacy Policy, Version 14, dated 6 May 2022
- ANU Workers' Compensation Claim Pack, Version 6.0, dated 20 December 2020
- All About Workers' Compensation – A Guide for Injured Employees, no version control, undated
- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- ANU Records Management Procedure, Version 6, dated 1 November 2022
- File review

Comment:

The University has a comprehensive Privacy Policy which outlines the requirements of the *Privacy Act 1988*, the *Australian Privacy Principles (APPs)*, the *Archives Act 1983* and the *Freedom of Information Act 1982*. Information is available for all staff on The University's intranet page.

The Workers' Compensation Claim Pack includes a comprehensive privacy statement covering the requirements of the *Privacy Act 1988* and *the APPs*. The information in the pack outlines how the information is collected, used and disclosed in the claims and injury management process.

The All About Workers' Compensation – A Guide for Injured Employees booklet also outlines how The University deals with privacy and includes links to further information about how the University undertakes the collection, storage and release of information.

Chapter 10 of the Rehabilitation Manual outlines the requirement for the staff responsible for the delivery of the rehabilitation function to comply with the privacy legislation.

The Records Management Procedure details provisions for security of records to prevent unauthorised access, alteration or removal and sets access restrictions for staff in accordance with the appropriate delegations.

The Rehabilitation Management System Overview document details how injury management records are maintained and includes limits on who can access those records.

The file review demonstrated that The University maintained the confidentiality of information and applied legislative requirements when managing rehabilitation and return to work of its employees.

Document management

Criterion 3.13

The rehabilitation authority maintains the relevant level of reporting, records and/or documentation to support its rehabilitation management system and legislative compliance.

Finding: Non-conformance

Evidence:

- ANU Intranet Pages
- Rehabilitation Management System Overview, Version 14.0, dated 31 March 2023
- ANU Policy Governance Policy, Version 17, dated 30 June 2021
- ANU Policy Governance Procedure, Version 18, dated 17 December 2021
- ANU Records and Archive Management Policy, Version 9, dated 1 November 2022
- ANU Records Management Procedure, Version 6, dated 1 November 2022
- ANU Rehabilitation Manual, Version 18.0, dated 1 July 2023
- E-mail from Senior Consultant, Claims Management, dated 21 June 2023
- File review

Comment:

The University maintains the relevant level of documentation and records to support its rehabilitation management system and legislative compliance.

The University has a comprehensive Policy Governance Framework which provides the structure for describing, ordering, developing and maintaining the University's policies, procedures, standards and guidelines. The framework includes the Policy Governance Policy and the Policy Governance Procedure. The policy details document hierarchy, category, custodians, content and design, implementation and communication and reviews and updates. The procedure provides for the operationalisation of the policy and includes writing style requirements, document control, frequency of document reviews and amendments and repeals.

The University maintains a Policy Library, in which all documents are recorded.

In accordance with the University's WHS system, local areas may create and manage their own advisory documents 'Business Unit Specific Documentation' which then becomes a standard operating procedure for a work group.

The Records and Archive Management Policy and the underpinning procedure outline framework for all records created or received by the University.

Chapter 9 of the Rehabilitation Manual outlines records management requirements for information in relation to incident notification, claims and injury management. Injury management records are stored within the Figtree system for workers compensation claims incurred since commencement of self-insurance on 1 July 2018. For claims that occurred prior to the 1 July 2018, injury management documents are retained in the shared drive and / or Figtree system. Inactive claims are stored in Electronic Records Management System (ERMS) for long term file management, in addition to the Figtree records. The chapter details roles responsible for entering injury management information into Figtree and ERMS, provides process for uploading and recording information on these systems and outlines naming convention requirements.

The file review identified five claims, out of the nine to which this criterion applied, where section 37 rehabilitation program determinations were not reported to the Commission Data Warehouse as required by the University's licence conditions and licensee performance standards and measures detailed in the LCPM. This resulted in discrepancies in the auditable trail.

The file review also identified one instance where an auditable trail with respect to injury management and return to work could not be established. Individual file findings are recorded in the table at the end of this report.

Non-conformance:

The file review demonstrated that The University did not maintain the relevant level of reporting resulting in discrepancies in the auditable trail.