



Workplace Rehabilitation Provider **Guidelines**

Contents

Introduction.....	3
WorkCover WA	3
Workplace Rehabilitation Providers	3
Approval Criteria.....	4
Essential criteria for approval as a Workplace Rehabilitation Provider	4
Criteria for Workplace Rehabilitation Consultants.....	5
<i>Minimum experience</i>	6
<i>Recognised professions and qualifications</i>	6
<i>Duration of approval</i>	6
Operational Conditions	6
Principals and Standards	6
Fees and charges	7
Return to work rate	7
Performance and review	7
Data and interactions with WorkCover WA	7
Contracting out.....	7
Application Process	8
Cessation of Approval	8

Introduction

1. Workers who become ill or injured at work should receive early rehabilitation support from their employer to minimise the impact of their illness or injury and support a timely return to work.
2. WorkCover WA approves Workplace Rehabilitation Providers to assist employers and injured workers with return-to-work processes.
3. Workplace Rehabilitation Providers engage health professionals prescribed in the *Workers Compensation and Injury Management Regulations 2024*.
4. These Guidelines set out the criteria for approval as a Workplace Rehabilitation Provider, operational conditions which approved Workplace Rehabilitation Providers must adhere to, and the application process in Western Australia.
5. The Guidelines establish a set of expectations and should be read in conjunction with the:
 - *Workers Compensation and Injury Management Act 2023* (the Act)
 - *Workers Compensation and Injury Management Regulations 2024* (the Regulations)
 - *Workplace Rehabilitation Provider Principles and Standards of Practice* (Principles and Standards).

These instruments are collectively referred to as the legislative and regulatory framework.

WorkCover WA

6. WorkCover WA is a statutory authority accountable to the Minister for Industrial Relations and is the government agency responsible for the regulation and administration of the workers compensation scheme in Western Australia.
7. The scheme is designed to ensure workers suffering a work-related injury or illness are compensated for loss of income, medical expenses and other associated costs.
8. As the scheme regulator, WorkCover WA's primary objective is to ensure work-related injuries are actively managed while assisting injured workers to achieve a safe and sustainable return to work.
9. It is WorkCover WA's responsibility to approve and regulate Workplace Rehabilitation Providers operating in the workers compensation scheme.
10. WorkCover WA's powers to approve, regulate and cancel Workplace Rehabilitation Providers are provided in sections 172 – 176 of the Act.
11. WorkCover WA will continuously monitor and assess Workplace Rehabilitation Providers compliance and performance as part of the regulatory process.

Workplace Rehabilitation Providers

12. A Workplace Rehabilitation Provider is an organisation responsible for providing effective rehabilitation support for an injured worker. The organisation may be a corporation, partnership, sole-trader or some other type of business with an Australian Business Number (ABN).

13. A **rehabilitation consultant** is an individual employed by a Workplace Rehabilitation Provider to provide services based on the assessed needs of a worker and/or the workplace. The definition of rehabilitation consultant is provided in regulation 86(1).
14. The nature of the employment relationship between the Workplace Rehabilitation Provider and the rehabilitation consultant, such as an employee or contractor, is immaterial to the requirements of the approval criteria.

Approval Criteria

15. This section sets out the criteria for applicants seeking approval to be a Workplace Rehabilitation Provider in the scheme.
16. Approval criteria are threshold requirements prescribed in regulation 86(2) and must be satisfied in the initial application and after approval is granted.
17. Workplace Rehabilitation Providers approved in other states are required to complete all requirements to be accredited in Western Australia.

Approval criteria for Workplace Rehabilitation Providers

18. A Workplace Rehabilitation Provider must have sufficient material and financial and operational capability and capacity to:
 - a) provide effective workplace rehabilitation services
 - b) comply with the Act, the approval criteria in the Regulations, any conditions of approval and the Ministerial fees order in accordance with section 94 of the Act
 - c) ensure workplace rehabilitation services are delivered by rehabilitation consultants who satisfy the criteria (see clause 21 - 25)
 - d) ensure all rehabilitation consultants who deliver workplace rehabilitation services maintain the relevant qualifications, experience and knowledge set out in regulation 87
 - e) provide induction, ongoing training and, if required, supervision to rehabilitation consultants
 - f) provide information as required to WorkCover WA to assist in monitoring and reviewing WRP performance in accordance with section 178 of the Act
 - g) comply with state and commonwealth laws, including laws relating to record keeping, security of information, privacy and confidentiality.
19. A Workplace Rehabilitation Provider must have at least one person in its management structure (known as the principal consultant) who holds a rehabilitation consultant qualification (see clause 22) and has at least five years' experience in workplace rehabilitation.
20. A Workplace Rehabilitation Provider must have the required mandatory insurance cover, including professional indemnity insurance, public liability insurance and workers compensation insurance.

Criteria for rehabilitation consultants

21. A rehabilitation consultant for a Workplace Rehabilitation Provider must:
 - a) hold the required qualification (see clause 22)
 - b) have the required experience (see clause 23 - 24)

- c) have, in the Workplace Rehabilitation Provider's opinion, sufficient knowledge required to be a rehabilitation consultant (see clause 25).

Qualification

- 22. In accordance with regulation 87(1), the recognised qualifications for a rehabilitation consultant are:
 - a) a health practitioner registered under the *Health Practitioner Regulation National Law (Western Australia)* to practise 1 or more of the following health professions (other than as a student) –
 - i. chiropractor
 - ii. occupational therapist
 - iii. medical practitioner
 - iv. nurse
 - v. psychologist (including a person who holds a provisional registration)
 - vi. physiotherapist
 - b) a rehabilitation counsellor who is a full or associate member of the Australian Society of Rehabilitation Counsellors
 - c) a rehabilitation counsellor who is a full member of the Rehabilitation Counselling Association of Australasia
 - d) an exercise physiologist accredited by Excise and Sports Science Australia Ltd (ABN 14 053 849 460)
 - e) a social worker who is a full member of the Australian Association of Social Workers
 - f) a speech pathologist who is a Certified Practising member of Speech Pathology Australia.

Experience

- 23. In accordance with regulation 87(2), a rehabilitation consultant must have 12 months or more of experience delivering workplace rehabilitation services.
- 24. Where a rehabilitation consultant has less than 12 months of experience delivering workplace rehabilitation services (a provisional rehabilitation consultant), the consultant must have completed a comprehensive induction and learning development plan, and have been under supervision for at least 12 months.

Sufficient knowledge

- 25. In accordance with regulation 87(3), a rehabilitation consultant must have the knowledge of the relevant conditions and standards of practice, including WorkCover WA's Principles and Standards and the *Heads of Workers' Compensation Authorities: Principles of Practice for Workplace Rehabilitation Providers*.

Duration of approval

- 26. Existing Workplace Rehabilitation Providers approved before 1 July 2024 are granted indefinite approval under section 569 of the Act, subject to compliance with legislative and regulatory requirements.
- 27. New Workplace Rehabilitation Providers are approved for an initial period of three years.
- 28. Prior to expiration of the three-year approval, WorkCover WA will determine whether to extend the approval for a further fixed period or for an indefinite term, based on the Workplace Rehabilitation Provider's performance.

Approval Conditions

This section sets out key approval conditions which Workplace Rehabilitation Providers must comply with during the period of approval.

Statutory requirements

29. Workplace Rehabilitation Providers must comply with conditions prescribed in the Act and the Regulations.
30. Workplace Rehabilitation Providers must continue to satisfy the criteria for the grant of the approval prescribed in the Regulations.

Principles and Standards

31. Workplace Rehabilitation Providers must comply with WorkCover WA's *Workplace Rehabilitation Principles and Standards*.
32. Workplace Rehabilitation Providers must deliver workplace rehabilitation services in accordance with *Heads of Workers' Compensation Authorities' Principles of Practice for Workplace Rehabilitation Providers Principles 1-5 of Services Delivery*.

Fees and charges

33. Workplace Rehabilitation Providers must comply with the *Workers Compensation (Workplace Rehabilitation Services) Fees Order* approved by the Minister.

Performance and review

34. Workplace Rehabilitation Providers must participate in self-assessments, audits and reviews as required by WorkCover WA in accordance with section 178 of the Act.
35. Workplace Rehabilitation Providers must participate in training with respect to WRP services from time to time as required by WorkCover WA.
36. Workplace Rehabilitation Providers must maintain accurate case documentation and made available to WorkCover WA upon request to demonstrate ongoing compliance with the legislative, regulatory and approval conditions.

Data and interactions with WorkCover WA

37. Workplace Rehabilitation Providers must provide accurate, complete and timely data as required by WorkCover WA.
38. Workplace Rehabilitation Providers must ensure contact details are up to date.

Contracting out

39. Workplace Rehabilitation Providers must not contract out case management or other services to other providers without approval, in writing, from WorkCover WA.

Application Process

46. To apply to be a Workplace Rehabilitation Provider, complete on the WorkCover WA website.
47. There are no application fees required to become an approved Workplace Rehabilitation Provider.
48. The Workplace Rehabilitation Provider applicant must provide:
 - Details of business ownership, contact and principal consultant
 - Approvals in other jurisdictions
 - Referees
 - Statements relating to conflicts of interest
 - Details of any professional or criminal proceedings against the organisation.
49. The Workplace Rehabilitation Provider applicant must demonstrate how they will conform to WorkCover WA's Approval Criteria and Operational Conditions. This includes a succinct statement for each criterion of the Approval Criteria and Operational Conditions as required.
50. The Workplace Rehabilitation Provider applicant must sign a statement of commitment to the Approval Criteria and Conditions. The statement outlines WorkCover WA's expectations and includes the Workplace Rehabilitation Providers acceptance WorkCover WA may cancel an approval where requirements are not met.

Cessation of Approval

51. A Workplace Rehabilitation Provider may exit the scheme in the following circumstances:
 - a) Voluntarily

A Workplace Rehabilitation Provider can submit a written request to WorkCover WA, for their approval to be cancelled.
 - b) Cancelled

A Workplace Rehabilitation Provider who fails to comply with the Act, Regulations or Approval Criteria, can have their approval cancelled by WorkCover WA.

Where WorkCover WA has reasonable evidence to suggest a Workplace Rehabilitation Provider has become insolvent, or they are unable to fulfil their requirements as outlined in the Guidelines, WorkCover WA may cancel approval.