

# SIRA guide for CTP vocational support

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For motor accidents on or after  
1 December 2017

**July 2018**

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# Glossary

For the purposes of this Guide, the following terms are used:

Claimant	A person who has been injured in a motor accident, who has made a CTP claim, and whose claim has been accepted by the relevant CTP insurer
Workers compensation claim excess	A payment liable to be paid by an employer if a workers compensation injury is not reported within five calendar days. The amount is equivalent to one week of the worker's weekly compensation payments. ( <u>Section 160 of <i>Workers Compensation Act 1987</i></u> )
Earners	A person who is injured as a result of a motor accident who is at least 15 years of age and who was employed or self-employed at the time of the accident, and who otherwise meets the definition of 'earner' under <u>Schedule 1, clause 2 of the <i>Motor Accident Injuries Act 2017</i></u> (the Act)
Provider	Workplace rehabilitation provider
Statutory benefits	Means statutory benefits payable under <u>Part 3 of the <i>Motor Accidents Injuries Act 2017</i></u>

# Overview of CTP vocational support

The *Motor Accident Injuries Act 2017* (the Act) makes provision for the vocational support of injured people who are CTP claimants ('claimants').

This guide gives information to CTP insurers, CTP claimants and employers about the various supports available to people injured in motor accidents to recover at work, being:

- Training, education and equipment modification, provided as a statutory benefit by the insurer
- Vocational support programs funded by SIRA and facilitated by the insurer.

## Vocational support under statutory benefits

Under section 3.2 of the Act, insurers are responsible for the payment of statutory benefits. As well as weekly benefits for loss of earnings, statutory benefits include treatment and care expenses. The meaning of treatment and care Section 1.4 of the Act includes:

- education and vocational training
- home and transport modification
- workplace and educational facility modifications.

For further information, see [Vocational support under statutory benefits](#).

## Vocational support programs funded by SIRA ('recover at work' programs)

Section 3.41 of the Act provides SIRA with the power to institute, administer or coordinate vocational and return to work support schemes for injured persons who make a CTP claim ('claimants'). Three targeted vocational rehabilitation support programs have been developed as a pilot program to provide funding and support to help claimants recover at or return to work when assistance is required. The programs have been designed to complement the services delivered as part of the claimant's treatment, rehabilitation and care arrangements.

The programs are available to eligible claimants who are currently receiving or are entitled to receive weekly statutory benefits under the Act, and who meet the definition of an earner. For more information about eligibility, see the relevant program.

The programs are facilitated by the insurer and funded by SIRA via the insurer. Supports include:

- incentive payments to employers
- financial support to claimants who are unable to return to pre-accident employment and require assistance in the attainment of new employment.

The vocational rehabilitation programs for the CTP scheme are:

1. Recover at Work Assist
2. JobCover Placement
3. Transition to Work

For more information, see [Vocational supports funded by SIRA](#).

# Vocational support under statutory benefits

In addition to a recover at work plan (see 'vocational support' in the *Motor Accident Guidelines*), claimants may require additional help such as vocational training and/or workplace modifications and equipment, to secure a safe and durable recover at work outcome. (Claimants may also be eligible for a [CTP vocational support program](#).)

The definition of 'treatment and care' in the *Motor Accident Injuries Act 2017* includes education and vocational training, workplace modifications and equipment costs that are reasonable and necessary in the circumstances and relate to the injury resulting from the motor accident concerned.

These are considered claims costs and should be considered for approval using the 'reasonable and necessary' criteria. An insurer may take into account:

- relationship to the injuries sustained in the motor accident
- how is it aimed at helping the claimant get back to their usual activities
- appropriate for the type of injury and the injured person
- provided by an appropriately qualified health professional
- cost effective.

The following additional information is provided to help insurers when making decisions and planning recovery at work for the claimant. The application of these types of interventions are claims costs under the Act. They are not expenses payable by the Authority under s 3.41.

## Education and vocational training

Training can help a claimant develop new skills and qualifications to keep their job or get a new one. It may involve formal study at university, TAFE or other registered training organisation.

Course fees and associated expenses such as stationery, textbooks, travel and accommodation may be covered.

In addition to the reasonable and necessary criteria, the insurer should determine that training is a suitable strategy using the following criteria:

1. The claimant cannot return to their pre-injury duties.
2. The claimant has insufficient marketable and transferable skills for durable employment.
3. The recover at/return to work goal is realistic and appropriate to the claimant's skills, aptitude, interests, preferences, motivation, current and/or anticipated functional and work capacity.
4. Training will help the claimant to return to a position reasonably comparable to pre-accident employment in terms of salary and status, and will result in a cessation or substantial reduction in weekly payments.
5. Training will enhance the claimant's prospects towards securing durable employment and it is considered likely to be the most direct path back to work.

The insurer may wish to engage a provider to formally assess the suitability of training for the claimant.

Training courses selected should:

- be provided by a registered training organisation or higher education provider
- result in formal qualifications recognised by the Australian Quality Training Framework or provide an industry-recognised licence or certificate.
- be the best match to the claimant's circumstances in relation to:
  - proximity of the course location to the claimant's residence and any travel requirements
  - timeliness and availability of the training (eg commencement date, study load and duration)
  - the most suitable method of delivery for the claimant's circumstance (eg face-to-face, distance education, online learning).

## Workplace modifications and equipment

Funding for workplace equipment or modifications may help a claimant to remain at work with their pre-injury employer or commence work with a new employer.

Modifications may be specific to the claimant's functional requirements, or the equipment may be necessary if the claimant starts a new role (for example, a basic toolkit for a maintenance worker).

To help insurers determine whether the proposed modifications or equipment is appropriate and that it will achieve the desired work outcome, the following principles should be considered (in addition to the reasonable and necessary criteria):

1. It is not an item that should be provided by the employer as part of their obligations under the *Work Health and Safety Act 2011*.
2. The cost is reasonable and other alternatives have been explored and considered to be inappropriate.
3. It will be used for a reasonable period of time and is solely or mainly for the use of the claimant.
4. It is essential to allow the claimant to return to or remain at work, or to commence a new work role.
5. Workplace modifications are particular and specific to the claimant's functional requirements in allowing them to return to/recover at work.

Insurers should also consider who will ensure:

- the equipment or workplace modifications are installed correctly
- the claimant (and employer where relevant) has been adequately trained to use the equipment or modifications
- the employer understands they will be responsible for normal maintenance, repairs and insurances in line with obligations under the *Work Health and Safety Act 2011* which require an employer to provide and maintain a work environment that is without risks to health and safety
- the original need for equipment or workplace modifications has been addressed.

## Ownership and maintenance

If the equipment is small, customised or movable, it will belong to the claimant. Larger items, such as permanent fixtures or modifications to the workplace, will be owned by the employer and therefore they may be asked to contribute to the cost where appropriate.

If the claimant is re-employed elsewhere and still requires the small, customised or movable equipment, the insurer may cover reasonable and necessary transport costs to relocate the equipment to a new workplace.

## Disputes

Where a dispute arises between a claimant and an insurer about the provision of vocational supports under statutory benefits, the usual dispute resolution process should be followed as provided for in the Act, Motor Accidents Injures Regulation 2017 and Part 7 of the Motor Accident Guidelines.

# Vocational support programs funded by SIRA ('recover at work' programs)

As well as supports provided by insurers under statutory benefits, some claimants may benefit from SIRA-funded programs supporting recovery at work, whether that is returning to the same employer or obtaining employment elsewhere.

These three programs are available to eligible claimants who are currently receiving or are entitled to receive weekly statutory benefits under the Act, and who Meet the definition of an earner

Payments are made by the insurer and reimbursed to the insurer by SIRA.

## Administration

Provision of CTP vocational rehabilitation support programs within the scheme commenced on 19 March 2018. During this introductory period SIRA is responsible for approving all vocational rehabilitation support program applications. This process will be reviewed at six months from commencement. Insurers are responsible for using SIRA's *Guide for CTP Vocational Support* (this guide) to apply on behalf of claimants to participate in the scheme. SIRA will then reimburse insurers for the approved costs of the program.

An application form for the three programs is available from SIRA's website.

**Note:** Costs for the CTP vocational support program are reimbursed by SIRA: they are not considered a claims cost and should not be included in the total claims cost. Costs associated with determining appropriateness and monitoring the programs, such as those for providers, are considered a claims cost.

Risk mitigation strategies are incorporated into the development and implementation of vocational rehabilitation programs. This includes the need for:

- insurers and providers to act in accordance with the guidance material
- the program to be aligned to an agreed recover at work goal and incorporated into the recovery plan.

If any application is not approved, the insurer must advise the claimant of the review process.

## CTP vocational support program reimbursements from SIRA

After SIRA has approved a program for a claimant under s 3.41, Insurers will be responsible for the administration of the vocational support programs, including making any approved? payments associated with the programs.

Insurers will then seek reimbursement from SIRA. They are required to submit the following to SIRA:

1. A reimbursement schedule outlining the payments made for each vocational program
2. Copies of the Claim for Payment forms (available from the SIRA website) and any receipts submitted by claimants, providers and/or employers.



## Timeframes

A claimant or provider may contact an insurer to request participation in a program or submit a CTP Vocational Support Program application form to the insurer for approval.

The insurer should submit the completed form, along with any required supported documents, to SIRA via [rtw.mair@sira.nsw.gov.au](mailto:rtw.mair@sira.nsw.gov.au) within **10 calendar days of receipt** of a form or request for program participation from a claimant or provider.

Providing all relevant information has been submitted, **SIRA will acknowledge receipt within 2 business days, and will provide a decision on the application within 10 business days** of having received the application form and supporting documents.

If a job or potential job is in jeopardy, the insurer should escalate the matter through to their key contacts at SIRA.

## CTP Recover at Work Assist

Helping a claimant recover at work may present financial difficulties for the employer as they may need to pay a casual worker to complete the usual duties of the claimant, in addition to paying the claimant's wages as they recover at work.

The CTP Recover at Work Assist program provides financial incentives to help eligible employers offer suitable work to a claimant through a graded recover at work plan. The program minimises the financial burden to the employer within the first 26 weeks of the worker's accident date. The program allows the:

- employer to receive up to \$400 per week for up to 12 weeks at any period within the first 26 weeks from the date of the motor accident
- claimant to recover at work using a graded recover at work plan.

This program will help relieve the burden for eligible employers who would otherwise not be able to offer suitable work to the claimant, delaying their recovery.

## Claimant eligibility

The claimant is eligible to participate in the program if:

- they have a current certificate of fitness stating they have capacity for some type of work
- they are currently receiving or entitled to receive weekly statutory benefits under the *Motor Accident Injuries Act 2017*
- the program can be completed within 26 weeks from the date of the motor accident.

## Employer eligibility

An employer is eligible to participate in the program if:

- they have an eligible worker (claimant) and were the pre-accident employer
- they have indicated (verbally or in writing) that they require financial support to have the eligible worker recover at work
- they demonstrate a commitment to the claimant's injury management and recovery at work.

## Employer assist payment

The employer assist payment is designed to offset the costs associated with having a claimant recover at work when the claimant has reduced capacity and is recovering at work via a graded recover at work plan.

Payments are calculated on a weekly basis, with employers able to receive up to \$400 per week for up to 12 weeks from commencement of the program (that is, with a maximum amount of \$4,800). The payments can be claimed by the employer at the end of four, eight and twelve weeks respectively.

During this time, the employer continues to pay the claimant, but may pay them at a reduced wage depending on hours worked. The claimant is eligible for weekly benefits for loss of earnings from the CTP insurer.

If the claimant continues to have only partial capacity for work at the completion of the program, support to develop a recover at work plan is available. The employer can request the help of a provider to develop a plan to upgrade the claimant to their pre-injury work status. However no further Recover at Work Assist payments will be made to the employer.

## Starting the program

To begin a CTP Recover at Work Assist program, the insurer must ensure that the following activities are completed:

### 1. Workplace assessment

A workplace assessment by a provider is an important first step to developing a successful recover at work plan.

The workplace assessment provides the opportunity to determine the suitability and safety of the duties being offered. It is important that the claimant and employer are present at and participate in the assessment.

Any concerns identified during, or as a result of, the workplace assessment should be discussed with the claimant and the employer and a satisfactory solution developed.

For some claimants, specific equipment or modifications to the workplace may be required in order to achieve a safe and durable recovery at work (see Workplace equipment and modifications, p. 19).

### 2. Recover at work plan

A recover at work plan is developed by the provider in consultation with the claimant (worker), employer and treating doctor.

The plan may be up to 12 weeks in duration. It must clearly state the claimant's work goal and outline specific opportunities to upgrade the claimant's fitness and capacity for work.

The employer and claimant must both agree to the plan in order to confirm their commitment to return the claimant to work in a safe and timely manner.

### 3. Approval to participate in the program

The insurer is responsible for submitting the completed CTP Vocational Program application form to SIRA. This includes checking that both the claimant and employer meet the respective eligibility criteria.

If SIRA approves the application, the insurer will inform the provider that the employer can use the program. The provider will then ensure the claimant and employer each receive a copy of the completed Vocational Program Application form and their recover at work plan.

If the application is not approved, the insurer must advise the claimant of the [SIRA review process](#).

#### **4. Monitoring**

The provider is responsible for undertaking appropriate reviews to ensure work duties are performed safely and in accordance with the recover at work plan.

The provider, claimant and employer should communicate regularly to review upgrades in work capacity and confirm progress towards the recover at work goal.

### **Accessing the Recover at Work Assist payment**

The Recover at Work Assist payment is claimed by (and paid directly to) the employer by the insurer as a lump sum at the end four, eight and twelve weeks respectively.

To receive the payment the employer must:

- complete a CTP Recover at Work Assist Employer Assist Payment Claim form
- attach a copy of the signed CTP Vocational Program Application form
- submit the claim to the insurer no more than four weeks from the last day of each period
- only claim for the wages of the claimant (excluding superannuation or allowances) or \$400 per week, whichever is lower
- submit the completed forms to the claimant's insurer.

After each payment is made to the employer, the insurer can claim reimbursement from SIRA by forwarding the completed forms and receipts to SIRA.

### **Change in circumstances**

If employment arrangements change and the claimant returns to pre-injury duties, the employer assist payment will be calculated on the number of weeks that the employer needed support (eg up to the date the claimant was certified fit for their pre-injury duties). For example, if a claimant returns to their pre-injury duties after six weeks, the maximum assist payment to employer would be \$400 per week for six weeks.

### **Completion of the program**

On completion of the program, the provider must evaluate the success of the recover at work plan against the program goals. The provider must submit a CTP Vocational Program Closure Report (available on the SIRA website) to the insurer within five working days of program completion.

If, after the completion of the program, the claimant continues to participate in a recover at work plan to upgrade their fitness for work, the claimant will continue to receive any weekly statutory benefits as entitled under the Act.

## CTP JobCover Placement

The CTP JobCover Placement program provides incentives to employers to employ a claimant who has a claim for an injury sustained in a motor accident and is unable to return to employment with their pre-accident employer.

The program is designed to offset the cost of engaging and training a new employee who has been injured in a motor accident.

### Program benefits

The JobCover Placement program provides a new employer with:

- incentive payments of up to \$27,400 for up to 12 months
- reimbursement of any workers compensation claim excess (see [Glossary](#)), should an excess be incurred, as a result of a change to a claimant's existing motor accident injury within the first two years of their new employment.

### Employer incentive payment

The employer incentive payment is designed to offset the costs associated with engaging and training a new employee.

The payment is payable over the first 52 weeks of work up to a maximum amount of \$27,400.

The maximum amount payable is:

- \$400 per week for weeks 1 to 12 (maximum of \$4,800)
- \$500 per week for weeks 13 to 26 (maximum \$7,000)
- \$600 per week for weeks 27 to 52 (maximum \$15,600).

The payment is claimed by the employer at the end of 12, 26 and 52 weeks respectively.

Payments are calculated on a weekly basis. The amount paid will be either the gross weekly wage paid to the claimant (excluding superannuation and allowances), or the weekly maximum amount as set out above should the gross wage exceed the weekly incentive payment amount.

### Changes to the existing injury

New employers may be concerned about the financial impact on their business if a person's existing injury affects their new role. These concerns may be alleviated by a workplace assessment (see 'Suitability of the role' below).

If there is a change to a claimant's existing injury during the first two years of their employment, which results in a workers compensation claim being accepted, SIRA will reimburse the new employers the amount of the Workers Compensation claims excess if it is incurred. Any claim for works compensation made under the Workers Compensation Act 1987 will be the responsibility of the employer and its workers compensation insurer.

**Note:** This reimbursement will not be available if, for example, the employer engages a claimant with a shoulder injury and they later sustain a knee injury. In such a case, the new employer is liable for the claims excess of the knee claim (the new injury).

## Claimant eligibility

A claimant is eligible for the JobCover Placement program if:

- at the time of program commencement, they are receiving, or are entitled to receive, weekly statutory benefits under the *Motor Accident Injuries Act 2017*
- they have a current certificate of work fitness (stating that they are fit for pre-injury work or has capacity for some type of work) but are unable to return to employment with their pre-accident employer
- a settlement has not been accepted.

## Employer eligibility

An employer may be eligible if they:

- are a different employer to the pre-accident employer
- hold a current workers compensation policy with an insurer or a self-insurer's licence
- are not grouped with the pre-accident employer for workers compensation insurance or insured under the same group self-insurer licence as the pre-accident employer
- provide a minimum of 64 paid hours per month or a return to pre-injury hours (Note: Fewer hours initially may be considered eligible if it can be demonstrated that the claimant will progress to meet the full requirements within a reasonable timeframe.)
- have offered employment for a minimum of 12 months
- are not in receipt of any other wage subsidy for the claimant
- demonstrate adherence to their jurisdiction's workers compensation and workplace health and safety legislation.

## Suitability of the employer

### Conflict of interest

An employer may not be eligible for the program if a professional or personal relationship between the proposed new employer and the claimant is likely to give rise to a conflict of interest. This is particularly important where the new employer has a provider-client relationship or is a member of the claimant's family.

Potential conflicts of interest should be discussed between the insurer, provider and claimant. The person completing the JobCover Placement Agreement Form (available from SIRA's website) should outline why the program should proceed, as well as the strategies that will be implemented to address the conflict of interest.

If a potential conflict of interest has been identified and the insurer needs to request a decision on employer eligibility, the matter should be escalated through the insurer's injury management staff to SIRA.

### Types of employment

The JobCover Placement program is designed to provide the claimant with durable employment that continues beyond the 12 months of employer incentive payments. A variety of employment arrangements are considered suitable. These include:

- full or part-time work
- casual, labour hire or contract arrangements where the work is ongoing, and where there is a formal agreement with the employer

- temporary employment where there is a fixed-term agreement greater than 12 months.

The following employment arrangements are **not** considered suitable under the program:

- seasonal work
- temporary employment where there is no fixed-term agreement or the agreement is less than 12 months
- establishment of a small business or other self-employment arrangement.

Confirmation that these eligibility requirements have been met should be obtained in writing from the new employer (eg a letter of offer of employment or contract).

### **Concurrent programs**

If a claimant obtains employment with two employers at the same time, the program can only be offered to one employer.

### **Change of employer**

The benefits of the program are not transferable between employers. However, if employment ceases and the claimant remains eligible for the program, the program may be offered to a new employer. If employment arrangements change and a claimant is no longer employed before the completion of the 52 weeks, the incentive payable will be calculated on the number of weeks that the claimant has been employed. For example, if a claimant is employed for 22 weeks, the maximum incentive payable to the employer would be \$400 per week for the first 12 weeks and \$500 per week for the next 10 weeks.

### **Change in circumstances**

If there is a change in circumstance that affects eligibility for the program (for example, the claimant resigns from the job or the employer ceases trading), the claimant must notify the CTP insurer within seven days of becoming aware of the change, and the insurer must notify SIRA.

Where a claimant's weekly payments cease after the program commences, the program may continue and the employer will still be eligible for all of the agreed benefits.

If a claimant is no longer entitled to statutory benefits, the claimant is no longer eligible for the program and the insurer must advise SIRA immediately.

If ongoing claim liability is disputed following program commencement, the insurer must notify SIRA immediately and SIRA will determine whether to continue to make incentive payments to the employer based on the individual circumstances. Should payments continue on an interim basis (eg if the insurer's decision denying liability is the subject of internal or external review) the program will be reviewed once a final decision is made (eg after the internal review decision, if the claimant does not pursue a DRS application or when DRS claims assessor determines liability). In these instances, the insurer is responsible for informing SIRA of the outcome of such decisions.

If the claimant accepts a settlement, the insurer must advise SIRA immediately. If this occurs, SIRA will determine whether to continue to make incentive payments to the employer on a case by case basis.

## Preparing for participation in the program

If the insurer believes that a CTP JobCover Placement program would help the claimant gain employment with a new employer and that the claimant is eligible, the insurer should note this in the claimant's recovery plan, and should notify the claimant (and provider if relevant). The insurer should ensure that the claimant:

- is aware that they are eligible for the program
- is aware of the benefits to employers of the program, and can explain benefits and eligibility to a potential employer
- understands injury disclosure
- has copies of the CTP JobCover Placement program information sheet (available from SIRA's website) and advise where further information can be obtained.

The insurer is responsible for notifying the claimant and provider if eligibility for the program changes.

If immediate or short-term barriers prevent the claimant from starting work, the insurer should talk to the claimant about their eligibility for CTP Transition to Work Assistance (see p13).

In some circumstances, a provider will conduct a workplace assessment to match the capacity of the claimant to the essential job requirements, and assess their ability to perform the tasks safely.

Where specific equipment, workplace modifications, skills, certification or licences are required for the role, this should be discussed with the claimant and provider. Training and equipment can be supplied under treatment and care applying the reasonable and necessary criteria (see Workplace equipment and modification and Vocational training on p20).

## Approval to participate in the program – arrangements with new employers

If an eligible potential employer offers a claimant a position, the insurer should arrange for the completion of the CTP JobCover Placement Agreement Form - signed by the claimant, new employer and the insurer - and submit it to SIRA as soon as possible.

If SIRA approves participation in the program, then prior to the commencement of employment, the insurer should confirm that all parties:

- understand the program benefits
- agree to their roles and responsibilities
- receive a copy of the signed agreement form and information on the program.

There is a risk that the employer may not receive the expected program benefits if the insurer has not confirmed that all requirements have been met before the claimant starts work.

If the application is not approved, the insurer must advise the claimant of the review process.

## Accessing the incentive payment

The employer incentive payment is claimed by, and paid directly to the new employer by the insurer as a lump sum at the end of 12, 26 and 52 weeks respectively.

The new employer must:

- complete a CTP JobCover Placement Employer Incentive Payment Claim form
- attach a copy of the signed JobCover Placement Agreement
- attach evidence of the claimant's weekly gross wage for each week in the employment period being claimed
- submit the payment claim no more than 12 weeks from the last day of each employment period
- only claim for wages paid to the claimant, this includes paid annual/recreational/sick leave
- not claim any other employer incentive payment for the claimant from another agency (eg another labour market wage subsidy program or any other employer incentive payment programs).

**Note:** An employer cannot claim for program payments for periods in which the claimant is absent from work (without remuneration) and is in receipt of weekly statutory benefits. If a claimant is absent from work and in receipt of weekly statutory benefits, the period of absence is included in the program length.

After each payment is made to the employer, the insurer can claim reimbursement from SIRA by forwarding the relevant documents and receipts to SIRA.



## CTP Transition to Work

The CTP Transition to Work program provides funding to address immediate or short-term barriers or needs that prevent a claimant from obtaining or accepting an offer of employment with a new employer.

There are two payment tiers under the Transition to Work program:

- Tier 1 – up to \$200 to help a claimant prepare for job seeking or to commence work. The payment can be used more than once provided the cumulative costs do not exceed \$200.
- Tier 2 – up to \$5,000 to address an immediate or short-term barrier(s) preventing a claimant from accepting a new employment offer (eg travel, transitional child care arrangements, clothing). The payment can be used more than once provided the cumulative costs do not exceed \$5,000.

### Eligibility

A claimant is eligible if:

- they are receiving or are entitled to receive weekly statutory benefits under the *Motor Accident Injuries Act 2017* or have recently ceased receipt of weekly payments due to commencing employment
- it is at least 26 weeks after the motor accident
- they are unable to return to work with their pre-accident employer because of the injury, and there is an immediate or short-term barrier or need that prevents the claimant obtaining or accepting an offer of employment
- a settlement has not been accepted
- for Tier 2 applications – they have a confirmed offer of employment with a new employer that is:
  - for a period of three months or more
  - for a minimum of 64 paid hours per month, or equivalent to pre-injury hours if this is less than 64 paid hours per month. Fewer hours may be considered if it can be demonstrated that the claimant will progress to meet this requirement within a reasonable time frame.

### Program principles

An application for the Transition to Work program must address the following principles:

1. The item or service must address an immediate or short-term barrier or need that prevents a claimant from participating in job seeking (Tier 1) or accepting an offer of employment (Tier 2).
2. The item or service must be cost effective and demonstrate that other options are less effective in addressing the barrier or need.
3. The application must demonstrate the claimant's capacity to maintain their financial arrangements independently when the Transition to Work payment has ceased.

## Common strategies

### Travel

Claimants should use public transport where available and appropriate. If it is necessary to use a private vehicle, the vehicle must be appropriately registered and have compulsory third party (CTP) insurance as a minimum. Private transport costs are reimbursed at 66 cents per kilometre.

#### Example:

John receives a job offer from XYZ Manufacturing. However, there is no public transport to the factory and his car is unregistered. The provider identifies that transport to and from work is the only barrier to John accepting the offer of employment, and that the most suitable strategy to address this barrier is to apply for a Transition to Work payment to enable John to register his vehicle.

The Transition to Work application addresses the program principles and outlines the need for car registration, insurance and petrol costs until John receives four weeks' wages.

### Relocation and accommodation

Relocation costs will be considered if a job offer becomes available in another location that is well beyond normal commuting distance. Funding for short-term accommodation will also be considered, provided there is a sound strategy that will enable the claimant to maintain accommodation arrangements independently when the Transition to Work payments have ceased.

#### Example:

Mary has been unsuccessful in securing a job in retail sales after four months of job seeking due to the limited labour market in her regional area.

She has received a suitable job offer from an employer in the city; however, there are concerns she may not be able to sustain the extensive travel involved. Mary has indicated she would relocate to allow her to accept the job, but she cannot afford removalist costs or the required rental bond.

Mary's insurer successfully applies to SIRA for a Transition to Work payment to cover the removalist costs, rental bond and the first two weeks' rent.

### Transitional child care

Costs for child care with a registered child care provider will be considered, provided the claimant can maintain the costs associated with the child care arrangements independently when the Transition to Work payments have ceased.

#### Example:

Joe has been off work as a result of his injury and has assumed the role of primary carer for his children so his wife can return to full-time work. Joe receives a job offer and there is a vacancy at the local child care centre for his children. However, the family is unable to pay the centre's bond or initial upfront fees.

Joe's provider recommends to the CTP insurer that they submit an application for a Transition to Work payment to cover the registered child care provider fees including

bond, until Joe receives his first month's wage from his new employer. The insurer submits a successful application to SIRA and Joe commences his new job.

## Clothing and related expenses

Reasonable costs for suitable clothing and personal grooming will be considered where the application meets the principles of Transition to Work. Uniforms or other clothes that are essential for commencing employment will be considered, but not the costs of standard issue uniforms, personal protective equipment and items of clothing that should be provided by the employer as part of their obligations under the *Work Health and Safety Act 2011*.

### Example:

Tony has been offered a job at a real estate agency. He previously worked as a labourer. Tony is experiencing financial hardship and the clothing he wore at the interview is not suitable for him to commence work as he is required to wear a suit.

The insurer submits a successful application to SIRA for a Transition to Work payment to cover the costs of one business suit, two shirts and a pair of shoes to enable Tony to commence work.

## Application process

### Approval to participate in the program

The insurer may wish to involve the provider in completing the CTP Vocational Support Program Application form. The insurer is responsible for submitting the Vocational Support Program Application form to SIRA. This includes checking that the claimant meets the eligibility criteria and the application meets with the Transition to Work program principles.

If the application is not approved, the insurer must advise the claimant of the review process.

### Payment

A completed CTP Vocational Support Program Claim for Payment form and relevant invoices or receipts must be submitted before payment can be made.

Up to \$300 may be paid in advance (where appropriate) for travel and when a minimum of 10 days' notice is given.

The insurer is responsible for administering payment of vocational program expenses. A minimum of 10 working days is required to enable processing and payment of approved costs.

Insurers seeking reimbursement for expenses should submit a claim for payment and relevant receipts to SIRA within six months from the date the expenses were incurred.

# CTP vocational support program review process

## Disagreements between insurers and claimants/providers

An insurer is responsible for submitting applications for CTP vocational support programs to SIRA. If there is disagreement between a claimant and/or provider and/or an insurer about eligibility or use of the CTP vocational support programs, the claimant and/or provider should try to resolve the matter directly with the insurer in the first instance.

If the problem cannot be resolved and the claimant and/or provider is not satisfied with the insurer's reasons for their decision, the claimant and/or provider can request that the insurer review the matter by escalating it internally.

If agreement has not been obtained following a review, a request for review can be lodged with SIRA by any party by emailing [RTW.MAIR@sira.nsw.gov.au](mailto:RTW.MAIR@sira.nsw.gov.au). All relevant documents should be included.

## Disagreements with SIRA

If an insurer or claimant disagrees with a SIRA decision on a Vocational Support Program application, they can request a review of the decision.

The insurer or claimant should:

- outline the reason(s) for the review, and;
- provide information to support the request for review.

Requests for review will normally be accepted in writing only, via email ([RTW.MAIR@sira.nsw.gov.au](mailto:RTW.MAIR@sira.nsw.gov.au)) or letter (SIRA Motor Accidents Insurance Regulation, Level 6, McKell Building, 2-24 Rawson Place, Sydney NSW 2000).

SIRA may ask for additional information in order to review the decision.

SIRA will notify the claimant and the insurer of the outcome of the review within 10 working days of receiving the request and all the necessary supporting information.

## Disputes about statutory benefits

SIRA's vocational support programs are separate to the care and treatment for which claimants can claim statutory benefits. For information on disputes about statutory benefits, please visit SIRA's [website](#).

#### Disclaimer

This publication may contain information that relates to the regulation of workers compensation insurance, motor accident third party (CTP) insurance and home building compensation in NSW. It may include details of some of your obligations under the various schemes that the State Insurance Regulatory Authority (SIRA) administers.

However, to ensure you comply with your legal obligations you must refer to the appropriate legislation as currently in force. Up to date legislation can be found at the NSW Legislation website [legislation.nsw.gov.au](http://legislation.nsw.gov.au)

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals, or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

This material may be displayed, printed and reproduced without amendment for personal, in-house or non-commercial use.

Motor Accidents Insurance Regulation, Level 6, McKell Building, 2-24 Rawson Place, Sydney NSW 2000

General phone enquiries 1300 137 131 or CTP Assist 1300 656 919

Website [www.sira.nsw.gov.au](http://www.sira.nsw.gov.au) | Catalogue No. SIRA08946

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