

Workers' Rehabilitation and Compensation Advisory Council

*Workers' Rehabilitation and
Compensation Act*

Annual Report 2013-2014

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Function and Purpose of the Advisory Council

In accordance with section 9 of the *Workers' Rehabilitation and Compensation Act*, the functions of the Council are to:

- (a) keep the operation of the *Workers' Rehabilitation and Compensation Act* under review
- (b) make recommendations to the Minister on possible improvements to the administration of the *Workers' Rehabilitation and Compensation Act* or the statutory scheme for the rehabilitation and compensation of injured workers' in the Northern Territory
- (c) carry out investigations, at the request of the Minister, into questions about the rehabilitation and compensation of injured workers' and to report to the Minister on the results of the investigations; and
- (d) perform any other advisory functions relating to workers' rehabilitation and compensation as the Minister directs

The Council is comprised of the person constituting the Work Health Authority under section 4(3) of the *Work Health Administration Act* and up to 10 other members appointed by the Minister.

Council Members represent the Scheme stakeholders, including representation from industry sectors, employer and worker interests, and insurers.

Membership of the Advisory Council for 2013-2014

Mr George Roussos, Roussos Legal Advisory – Chair

Mr Roussos is a partner of Roussos Legal Advisory and a strong advocate of the NT workers' rehabilitation and compensation system. He is a current member of the Scheme Monitoring Committee; past president of the NT Chamber of Commerce and Industry; and is one of the consultants engaged to undertake a review of the *Workers' Rehabilitation and Compensation Act*.

Mr Mark Crossin, CrossInnovate Consulting – Deputy Chair

Mr Crossin is the managing partner of CrossInnovate Consulting, which specialises in government relations, workers' compensation, work health and safety, policy, research, business and financial planning as well as human resource management. Mr Crossin is a current member of the Scheme Monitoring Committee as well as one of the consultants engaged to undertake a review of the *Workers' Rehabilitation and Compensation Act*.

Mr Doug Phillips, NT WorkSafe – Work Health Authority

Throughout 2013-2014 Mr Phillips was the Work Health Authority, Deputy Chief Executive of the Department of Business and the Northern Territory representative for Safe Work Australia.

Ms Cathy Spurr, Halfpenny's Lawyers

Previous Chair of the Workers' Rehabilitation and Advisory Council, Ms Spurr plays a key role in representing the interests of injured workers. Ms Spurr interacts with NT WorkSafe on a regular basis and is very active in promoting and improving the rehabilitation and compensation support system.

Mr Colin Chilcott, Insurance Council of Australia

Mr Chilcott is the State Manager - NT for QBE Insurance and the nominee of the Insurance Council of Australia.

Dr Gerry A Goodhand, Australian Medical Association

Dr Goodhand is a General Practitioner and the nominee of the Australian Medical Association. He regularly works with patients who are workers' compensation claimants.

Mr Owen Pike, Chamber of Commerce

Mr Pike is the Manager of Mine Maintenance and Construction. Mr Pike has raised issues relating to Workers' Rehabilitation and Compensation within the NT Manufacturers Council of which he is an active executive committee member.

Mr John Brears, Master Builders Association NT

Mr Brears has a post graduate career of over 40 years in civil engineering and building construction. Mr Brears is regularly engaged as an Adjudicator, Mediator or 'Construction Expert' to assist in the resolution of disputes. Mr Brears is a current mediator on workers' compensation matters for NT WorkSafe.

Mr Lucio Matarazzo, Lucio Matarazzo Pty Ltd

Lucio Matarazzo Pty Ltd is an industrial agency that represents employers, employees and independent contractors in negotiations on and application of, their work agreements. Lucio Matarazzo Pty Ltd is a paid agent for the purposes of the *Fair Work Act 2009*.

Ms Rachel Cassar, The Recovre Group

Since 2008, Ms Cassar has worked for the national rehabilitation provider The Recovre Group as Business Manager. Ms Cassar has been actively involved within the Australian Rehabilitation Provider of Australia NT (ARPA NT), completing Secretary duties and being involved with monthly local and national meetings.

Ms Sharon Roxby, Insurance Council of Australia

Ms Roxby is currently the Workers' Compensation Manager NT for Allianz. Ms Roxby has extensive experience in leading Workers' Compensation claims teams with NSW TMF, NSW WorkCover and NT jurisdictions. Ms Roxby has specific expertise in the management of long tail claims and has had active involvement in personal injury claims management with particular focus on workers' compensation.

Activities of the Advisory Council for 2013-2014

The Council met on five occasions during 2013-2014:

- 23 July 2013
- 10 September 2013
- 19 November 2013
- 1 April 2014
- 20 May 2014

The focus of the Council's work during this period was the review (Review) of the Northern Territory workers compensation Scheme (the scheme set out in the *Workers Rehabilitation and Compensation Act*). Council considered several issues relevant to the Review including:

- consideration of the Terms of Reference for the Review
- engagement of consultants to conduct the Review
- the Review methodology
- Actuarial review of the Scheme
- consideration of the Preliminary Report in November 2013 and the preliminary recommendations; including in relation to the definition of 'worker'; definition of injury/disease; calculation of normal weekly earnings; portability of benefits; journey claims; lump sum payments; and premium increases
- presentation by the Australian Medical Association in relation to independent medical examinations
- public submissions
- NT WorkSafe recommendations
- Council input into the recommendations in the Final Report

Other key issues and items the Council addressed or considered included:

- the National Disability Insurance Scheme (commencing in the Barkly region on 1 July 2014); the National Injury Insurance Scheme (NIIS); and the impact these schemes may have on the NT workers' compensation scheme
- Claimant Satisfaction Survey process and results
- a recommendation to the Minister about providing the Nominal Insurer the capability to manage claims at an earlier time
- the successful prosecution of an uninsured employer by NT WorkSafe and discussion over the need to increase publicity surrounding this

Planned Activities of the Advisory Council for 2014-2015

Proposed work to be undertaken by the Workers' Rehabilitation and Compensation Advisory Council in 2014-2015 includes:

- consideration of strategies to address risks encountered by case managers
- participation in the Safe Work Australia deemed diseases project
- reviewing of NT WorkSafe guidance material
- considering revision of the AMA Guides to the Evaluation of Permanent Impairment 4th Edition
- ongoing review of claimant satisfaction levels
- consideration of any other relevant issues that arise