

Workers Rehabilitation and Compensation Advisory Council

Return to Work Act

Annual Report 2014-2015

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Function and Purpose of the Advisory Council

In accordance with section 9 of the *Return to Work Act*, the functions of the Council are to:

- (a) keep the operation of the *Return to Work Act* under review;
- (b) make recommendations to the Minister on possible improvements to the administration of the *Return to Work 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 2014-2015

During the 2014-2015 financial year the tenure of the presiding Council ended and a new Council was appointed. On 6 November 2014, the invitation was approved for nominations from interested persons and organisations to the Council due to the expiry of all members on 31 December 2014.

In accordance with section 10 of the repealed *Workers Rehabilitation and Compensation Act*, expressions of interest were invited through advertisements in the NT Government Gazette, the Northern Territory News, Centralian Advocate, Arafura Times, Katherine Times, as well as the Tennant and District Times.

The nomination period ended on 14 January 2015 and the current Council was appointed from 1 March 2015. Five members from the former Council were reappointed along with 5 new members who completed the new Council.

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; a past president of the NT Chamber of Commerce and Industry; and is one of the consultants that were engaged to undertake a review of the *Workers Rehabilitation and Compensation Act*. Mr Roussos was reappointed to Council.

Mr Colin Chilcott, Insurance Council of Australia – Deputy Chair

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

Mr Stephen Gelding, NT WorkSafe – Work Health Authority

Throughout 2014-2015 Mr Gelding was the Work Health Authority and the Northern Territory representative for Safe Work 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. Dr Goodhand was reappointed to Council.

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 Cassar was reappointed to Council.

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. Ms Roxby was reappointed to Council.

Ms Tracey Hayes, NT Cattlemen's Association

Ms Hayes is the Chief Executive Officer of the Northern Territory Cattlemen's Association; the peak representative body for the pastoral industry in the NT and an employment sector with over 2000 employees in businesses ranging from large corporate entities to small family operations. Ms Hayes was appointed as a new member of Council.

Mr Brett Hagan, Chamber of Commerce

Mr Hagan was nominated by the Chamber of Commerce NT as their nominee for a representative of employer interests on the Council. Mr Hagan has been involved with the Chamber of Commerce NT since the mid 1980's and has held a position on their board since 2012. Mr Hagan has worked in the insurance industry since 1980 and has experience with claims, underwriting and accounts. Mr Hagan was appointed as a new member of Council.

Ms Vicky Kossaris, Squire Patton Boggs

Ms Kossaris is one of the leading insurance and workers compensation practitioners in the NT with over 14 years legal experience. Her current position is "Of Counsel" of the NT office of Squire Patton

Boggs, and she has previously worked as an in-house solicitor for the Territory Insurance Office and representing the Victorian WorkCover Authority with statutory compensation and common law work cover claims. Ms Kossaris regularly provides advice and representation on significant issues impacting the NT Workers Compensation Scheme, including preparing submissions on behalf of the Insurance Council of Australia in response to the Workers' Rehabilitation and Compensation Legislation Amendment Bill 2012. Ms Kossaris was appointed as a new member of Council.

Mr Tony Vidot, Nationally Accredited Mediator

Mr Vidot has been appointed as a mediator for NT WorkSafe since 2001. He is a member of the Australian Psychological Society and a Nationally Accredited Mediator. Mr Vidot works in a private dispute resolution/mediation practice focusing mainly on workers compensation and workplace relations issues. Mr Vidot was appointed as a new member of Council.

Ms Lisa Trahair, Workplace Injury Coordination

Ms Trahair previously worked as a Workplace Injury Coordinator for Leighton Contractors, and was involved in a range of large scale construction projects; worked as an Injury Management Advisor for TIO and has her own company, Workplace Injury Coordination. This company provides a service to employers who are struggling to understand and manage work place injuries. Ms Trahair was appointed as a new member of Council.

Mr Mark Crossin, CrossInnovate Consulting – Former 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 Crossin was a member of the Council between 1 July 2014 and 31 December 2015.

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. Ms Spurr was a member of the Council between 1 July 2014 and 31 December 2015

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 Pike was a member of the Council between 1 July 2014 and 31 December 2015

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 Brears was a member of the Council between 1 July 2014 and 31 December 2015

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*. Mr Matarazzo was a member of the Council between 1 July 2014 and 31 December 2015

Activities of the Advisory Council for 2014-2015

The Council met on four occasions during 2013-2014:

- 12 September 2014
- 21 November 2014
- 31 March 2015
- 24 June 2015

Key issues and items the Council addressed or considered included:

- the annual claimant satisfaction survey process and results;
- proposed strategies for dealing with threats of harm to case managers by claimants;
- the Australian Bureau of Statistics report on work-related injuries;
- the National Disability Insurance Scheme, commencing in the Barkly region on 1 July 2014, and the National Injury Insurance Scheme (NIIS) and the impact these schemes may have on the NT workers compensation scheme;
- participation in the Safe Work Australia deemed diseases project;
- consideration of American Medical Association's 'Guides to the Evaluation of Permanent Impairment, Fifth Edition' and the need for additional education for the medical profession if this is implemented;
- concern raised by a medical practitioner relating to the role of independent medical examiners and rehabilitation provider practices;
- the issue of increase in costs for aero-medical evacuations;
- provision in the statutory insurance policy relating to 'liability independent of the Act'; and in relation to certain policy endorsements; and
- the Alternative Employer Incentive Scheme.

Planned Activities of the Advisory Council for 2015-2016

Proposed work to be undertaken by the Council in 2015-2016 includes:

- consideration of strategies to address risks encountered by case managers;
- the Safe Work Australia deemed diseases project implementation;
- the Permanent Impairment Guide;
- the Statement of Fitness for Work;
- monitoring Return to Work legislative changes;
- the Alternative Employer Incentive Scheme;
- ongoing review of NT WorkSafe guidance material;
- ongoing review of claimant satisfaction levels; and
- consideration of any other relevant issues that arise.