

DEPARTMENT OF
THE ATTORNEY-GENERAL AND JUSTICE

Workers Rehabilitation and Compensation Advisory Council

Annual Report
2016-17

NTWorkSafe



**NORTHERN
TERRITORY
GOVERNMENT**

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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 comprises 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 must represent stakeholders of the Northern Territory Workers' Compensation Scheme, including balanced representation from a wide range of industry sectors, employer and worker interests, and insurers. Membership of the Council must also include persons with expertise in the rehabilitation of injured workers.

Membership of the Advisory Council

During the 2016-2017 financial year the tenure of the presiding Council ended and a new Council was appointed. On 28 October 2016, an invitation seeking nominations from interested persons and organisations to the Council due to the expiry of all members on 20 February 2017 was approved.

In accordance with section 10 of the *Return to Work Act*, expressions of interest were invited through advertisements in the NT Government Gazette, the Northern Territory News, the Centralian Advocate and published on the NT WorkSafe website.

The nomination period ended on 23 December 2016 and the current Council was appointed from 14 March 2017. Five members of the former Council were reappointed along with 5 new members who completed the Council.

Council Members for 2016-2017

Ms Cathy Spurr, Halfpennys Lawyers – Chair

(Appointed 14 March 2017)

Ms Spurr was a member of the Workers Rehabilitation and Compensation Advisory Council between 2009 and 2014 and held the position of Chair from 2009 to 2012. Ms Spurr is a partner at Halfpenny's Lawyers and works predominantly on cases related to workplace injury, personal injury and medical negligence. Ms Spurr acts on behalf of workers and unions and plays a key role in representing the interests of injured workers. Ms Spurr has extensive experience dealing with complex workers compensation matters.

Mr George Roussos, Roussos Legal Advisory – Deputy Chair

(Reappointed 14 March 2017)

Mr Roussos is a partner of Roussos Legal Advisory and a strong advocate of the Northern Territory 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; former Chair of the Workers Rehabilitation and Compensation Advisory Council

and was one of the consultants engaged to undertake a review of the (now repealed) *Workers Rehabilitation and Compensation Act*.

Mr Stephen Gelding, NT WorkSafe – Work Health Authority

Mr Gelding was appointed as the Work Health Authority on 16 August 2014. He is the Executive Director of NT WorkSafe, the Electricity Safety Regulator and the Chief Inspector under the *Radioactive Ores and Concentrates (Packaging and Transport) Act*. Mr Gelding is also the Northern Territory member of Safe Work Australia and the Heads of Workplace Safety Authorities.

Mr Colin Chilcott, Insurance Council of Australia – Member

(Reappointed 14 March 2017)

Mr Chilcott is the State Manager - NT for QBE Insurance and the nominee of the Insurance Council of Australia. Mr Chilcott has been a member of Council since 2010 and was Deputy Chair from 2015 to 2017. Mr Chilcott has extensive experience with the Northern Territory workers compensation scheme.

Dr Gerry A Goodhand, Australian Medical Association - Member

(Reappointed 14 March 2017)

Dr Goodhand has been the Australian Medical Association nominee on Council since 2011. He is a general practitioner who regularly works with patients who are workers' compensation claimants.

Ms Sharon Roxby, Insurance Council of Australia – Member

(Reappointed 14 March 2017)

Ms Roxby is the Workers' Compensation Manager NT for Allianz and has extensive experience in leading Workers' Compensation claims teams with in New South Wales and the Northern Territory. Ms Roxby has specific expertise in the management of long claims and has had active involvement in personal injury claims management with particular focus on workers' compensation.

Mr Brett Hagan, Chamber of Commerce - Member

(Reappointed 14 March 2017)

Mr Hagan was nominated by the Chamber of Commerce NT to represent 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 account management.

Ms Donna-Lee Mewburn, Advanced Personnel Management - Member

(Appointed 14 March 2017)

Ms Mewburn is an occupational therapist who has worked as the Northern Territory Manager for Advanced Personnel Management (APM) since 2006. Ms Mewburn has developed her knowledge and skills within the workers' compensation and rehabilitation industry in her role with APM, providing support to relevant stakeholders such as injured workers, employers, treatment providers and insurers. Ms Mewburn has been a National Council Member of the Australian Rehabilitation Providers Association (APRA) since 2009. This position has provided opportunities to gain understanding of workers' compensation issues within other jurisdictions across Australia.

Mr Bryan Wilkins, Australian Manufacturing Workers Union - Member

(Appointed 14 March 2017)

Mr Wilkins is employed by the Australian Manufacturing Workers Union (AMWU) as the Northern Territory Organiser, representing workers in manufacturing, automotive, mining, printing and technical services. Mr Wilkins has held this position since 2008 following a career as a boilermaker in the NT working in mining and construction industries. Mr Wilkins is also a member of the Work Health and Safety Advisory Council.

Ms Justine Searle, Statewide Superannuation – Member

(Appointed 14 March 2017)

Ms Searle was a previous member of the Workers Rehabilitation and Compensation Advisory Council, sitting for four years between 2008 and 2012. Ms Searle is the Regional Manager for Statewide Superannuation for the past year and has worked in financial services for four years.

Ms Jaylene Patten, United Voice NT – Member

(Appointed 14 March 2017)

Ms Patten has been working as the Member Assist Officer for United Voice NT for the past 8 years. United Voice is the largest union in the NT representing workers in security, disability, health and aged care, child services, corrections, paramedics, fire fighters, early childcare, aboriginal health practitioners, NTPS health services, shires and councils. Ms Patten represents members in workers compensation claims, workplace health and safety issues, workplace investigations, mediations, workplace disputes, conflict resolution and general industrial relation advice.

Ms Vicky Kossaris, Squire Patton Boggs – Member

(Term of appointment ended 20 February 2017)

Ms Kossaris is a leading insurance and workers compensation practitioner in the NT with over 14 years legal experience. Her current position is “Of Counsel” of the NT office of Squire Patton Boggs. Ms Kossaris previously worked as an in-house solicitor for the Territory Insurance Office and represented the Victorian WorkCover Authority with statutory compensation and common law work cover claims.

Mr Tony Vidot, Nationally Accredited Mediator – Member

(Term of appointment ended 20 February 2017)

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.

Ms Lisa Trahair, Workplace Injury Coordination – Member

(Term of appointment ended 20 February 2017)

Ms Trahair previously worked as a workplace injury coordinator for Leighton Contractors and was involved in a range of large scale construction projects. She worked as an Injury Management Advisor for TIO and now runs her own company, Workplace Injury Coordination.

Ms Tracey Hayes, NT Cattlemen’s Association – Member

(Term of appointment ended 20 February 2017)

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 Rachel Cassar, RL Consulting NT Pty Ltd – Member

(Resigned from Council 11 October 2016)

Ms Cassar worked for national rehabilitation provider The Recovre Group as Business Manager between 2008 and 2015. Ms Cassar was an active member of the Australian Rehabilitation Providers Association NT and started her own business, RL Consulting NT Pty Ltd, in 2015.

Activities of the Advisory Council 2016-2017

The Council met on five occasions during 2016-2017:

- 11 August 2016;
- 12 October 2016;
- 11 November 2016;
- 10 February 2017; and
- 10 April 2017

Key issues and items the Council addressed or considered included the:

- Permanent Impairment Guide;
- Statements of Fitness for Work;
- role of independent medical examiners and rehabilitation providers;
- national training package for the engagement and education of general practitioners;
- attendance of employers or rehabilitation providers at medical appointments;
- adjournment of mediations; and
- the Alternative Employer Incentive Scheme.

Planned Activities of the Advisory Council for 2017-2018

Proposed work to be undertaken by the Council in 2017-2018 includes:

- further consideration of Statements of Fitness for Work;
- review of eligibility to apply for mediation;
- 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 relevant issues that arise.