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Welcome

Introduction from our General Manager

Dear Valued Business Partner

Welcome to the latest edition of *QBE Connect*, our quarterly newsletter designed to keep you informed on the latest updates happening across the Workers Compensation industry.

As I write this from New Zealand, and marvel at the beauty and majesty of the mountains with my family, I am reminded of the unpredictability of Mother Nature. Around the globe we have seen the devastation and loss of life caused by the recent disasters, which have served as a timely reminder to each one of us of the uncertainties that we may sometimes confront in our day-to-day experiences – both at home and at work.

The recent statistics from Safe Work Australia have revealed the significant number of workplace injuries continuing to occur in our workplaces, at an estimated annual cost of \$57.5 billion.

Never has it been more important for us to be vigilant to manage our workplace risk exposures. With increasing legislative and regulatory obligations in the workplace safety arena, our commitment is to meet and exceed your expectations in these changing times.

In this edition, you can read about the most recent and forthcoming changes, including:

- New Work Health & Safety Act and regulations being implemented from 1 January 2012
- Better Work Tasmania's plans to establish a blueprint for safe and healthy work
- The "WorkHealth Coach" initiative to help Victorians develop sustainable healthy habits.

I am also very excited to announce that QBE has been successful in commencing under the Comcare scheme, as we continue to expand our self insurance business nationally. Read about this significant development in this edition, along with the all the courses on offer in August through our National Training Calendar.

I would like to take this opportunity to thank you for your strong support, particularly in the lead up to 30 June, and look forward to working with you in what I'm sure we all hope will be a much less unpredictable remainder of year.



Jason Hammond
General Manager – Workers Compensation
QBE Australia



Industry news

WorkSafe Victoria releases indexation rates and other entitlements

WorkSafe Victoria has released indexation rates and other entitlements effective from July 2011.

Indexation rates have now been updated in the [WorkSafe Claims Manual](#), including the following key rates:

Statutory maximum – For claims for weekly payments received by QBE on or after 5 April 2010	
Maximum weekly payment to worker	\$1,930 p.w.
Statutory maximum – For claims for weekly payments received by QBE prior to 5 April 2010	
Maximum weekly benefits payment to worker	\$1,420 p.w.
Employer's liability for medical and like services	
Liable amount for any employer liability threshold where met on or after 1 July 2011	\$610
93CD applications	
Minimum worker's weekly earnings for 93CD applications	\$166

Please note: This information is general in nature only and should not be used without confirming the details of entitlements and any conditions that apply.



WorkHealth announces new game plan for better health

Thousands of Victorian workers at risk of chronic disease are set to benefit from a pioneering new health coaching service from WorkSafe Victoria's WorkHealth program.

From 1 March 2012, workers found to be at risk of type 2 diabetes or cardiovascular disease during their WorkHealth check will be supported to enrol in a range of free lifestyle programs to improve their health.

WorkSafe has appointed Medibank Health Solutions to deliver the new WorkHealth Coach program. WorkHealth director Pam Anders says at least 66 per cent of workers who come through the checks would be eligible for the service.

"300,000 Victorians have already had a WorkHealth check. The checks are providing a valuable wake-up call for many of these people who go into their check thinking they're in good health," Ms Anders says.

"We know that many workers come out of their WorkHealth check intending to make some changes. WorkHealth Coach means they don't need to do it alone – all they need to do is agree to participate, and a qualified health coach will contact them to kick things off."

Under WorkHealth Coach, workers will receive:

- **Telephone support:** Workers receive a phone call from a qualified health coach to discuss their WorkHealth check results. Based on their level of risk, workers will be enrolled in one of a range of free programs including phone-based coaching, face-to-face groups or email support.
- **Ongoing health coaching:** Workers at medium risk of type 2 diabetes or medium to high risk of cardiovascular disease will be eligible to continue with their WorkHealth Coach to receive regular phone-based coaching for up to six months.

WorkHealth Coach is the first State-wide program in Australia to assist workers at risk of cardiovascular disease to improve their lifestyles and long-term health.



A strategy for safe and healthy work

Tasmania's rates of work related death, injury and illness are at unacceptably high levels, and improvements in these rates have stalled for some time. At the same time, the role of the ageing workforce and new technologies will impact directly on our ability to make improvements in work health and safety (WHS).

Tasmania, in particular, is performing below the national average of incidences and frequencies of related injury and illness.

Recognising the need for transformational change for the State, the Work Cover Board has approved the development of a whole of Tasmania work health strategy known as Better Work Tasmania.

This exciting new project will involve Tasmanians in developing a blueprint for WHS for the future.

Work Cover is communicating with employers and workers from organisations, WHS professionals, small business, insurers, unions, professional bodies, government and community bodies, as well as individuals who have an interest in WHS.

The project is an opportunity for Tasmanians to influence the future of WHS in the State by having a say about the issues, barriers and concerns we face in trying to achieve better outcomes.

It is expected that the Better Work Tasmania strategy will address the following issues:

1. Employee engagement and cultural change
2. Safety leadership
3. Education standards for WHS for workers across all levels
4. Understanding and managing risk in small enterprises
5. Changing society's expectation for WHS
6. Wellness and fitness for workers in the workplace
7. Stress and mental health issues in the workplace
8. Emerging technologies
9. Enhanced work health and safety performance measurement, and effectiveness evaluation
10. Future risk trends
11. Industry sector specific strategies
12. Any other issues that are deemed appropriate.

It will be necessary to influence leaders and those who can bring about and support change by working with employer bodies, trade unions other agencies and public bodies. Engaging with workers, trade unions and worker bodies to encourage worker participation and to reinforce value and care throughout the working life will be vital.



WorkSafe Award entries: Have your say

The WorkSafe Awards are one of Australia's premier recognition programs for those helping to make a positive difference at work.

The Awards now provide a great opportunity for organisations and individuals to be recognised for achievement and success in:

- improving workplace health and safety or developing innovative OHS solutions
- helping injured workers return to work
- boosting the health and wellbeing of people at work.

It's now even easier to enter, and you can vote as well.

Each month the votes cast by you and industry professionals will be used to showcase and rank the best entries in the 'WorkSafe 100',

making sure great ideas and success stories get the recognition they deserve. Each month entries will be reviewed and may be invited to compete for one of the prestigious Annual WorkSafe Victoria Awards presented in October as part of Work Safe Week. You must enter this online scheme to be considered for an Award in October.

Your voice counts – Get involved

To make a nomination, vote or make your own comments about entries, simply [register](#) via the [WorkSafe Awards website](#).



Two major Comcare programs transfer to QBE

QBE is pleased to announce the further growth of its Self Insurance Services area with the addition of the Optus and Visionstream's outsourced workers compensation programs, which took effect from 1 July 2011.

At its June Board meeting, The Safety, Rehabilitation and Compensation Commission (SRC) endorsed the request for these programs to transfer to QBE. The SRC approved the appointment of QBE as the outsourced claims manager for these two significant programs under the Comcare scheme.

This signals QBE's capability to support outsourced claims management under both Commonwealth and State-based self insurance arrangements in Australia. The expansion into the Commonwealth sector demonstrates QBE's strong commitment to the growth of its self insurance business nationally.

With QBE now operating in the Comcare jurisdiction, it will deliver increased choices for self insurers in the Commonwealth scheme who choose to outsource their workers compensation claims.

"In my mind, there is no doubt that increased choice will lead to better outcomes for self insurers, both in the quality of services and in product innovation to assist self insurers to reduce their liabilities," says Marianne Coutant, Manager, Self Insurance Services at QBE.

"We are delighted to welcome these two significant programs to QBE."



Calculating current weekly earnings

Changes to the way Current Weekly Earnings are calculated will take effect for all payments after 1 November 2011.

When an injured worker has returned to work, any overtime, shift allowances or any piece rate amounts or commissions are to be taken into account when determining the worker's current weekly earnings.

Please ensure these entitlements are included within any claim a reimbursement of weekly compensation from QBE from this date.

For any questions or for more information, please contact [Adam Woolley](#), QBE Senior Technical Manager, on (03) 9246 2060.



Legislative changes

Get ready for new Work Health & Safety laws

By Barry Sherriff*

Every State in Australia will have a new Work Health & Safety Act and regulations from 1 January 2012.

What are the key changes?

The new laws will move from using employment to determine who owes duties of care and to whom.

Instead, a person conducting a business or undertaking (PCBU) will owe the primary duty to 'workers'. A 'worker' will be any person working for their business in any capacity and include employees, contractors, labour hire, volunteers and students on work experience.

Workers will all have the duty of care, currently owed by an employee, for the health and safety of themselves and others.

Officers (directors and executive management) will also have a positive duty to exercise due diligence, which will be defined in the laws.

Each PCBU will have to consult, co-operate and co-ordinate activities with others who have a duty over the same matter (the same work, workers, etc), to ensure health and safety protection.

In addition, there will be changes to detail in regulations, with added responsibilities for some businesses.

Penalties will be significantly higher

Maximum penalties for serious breaches, putting a person to a risk of death or serious injury, will be much higher under the new laws – \$3 million for a company guilty of reckless endangerment, \$600,000 for officers and \$300,000 for other individuals.

Businesses and their officers should be taking steps now to comply

The laws will mainly make duties and obligations clearer and the same around Australia, but will require some changes to be made.

Businesses will need to ensure they are looking after all their workers and consulting with them. They must ensure they have processes to meet the new duty to consult, co-operate and co-ordinate activities. They will also need to ensure the corporate governance structure, processes and reports allow officers to comply with their duty of care.

This may require significant structural and process changes that take time to develop and implement. If you have not already taken steps to do so, you should get started now. The first step is to understand the law and what will be required to comply, then identify any gaps and what you will need to do to fill those.

*Barry Sherriff is a partner of Norton Rose Australia. He was a member of the National OHS Review panel on whose recommendations the model laws are based and the author of *Sherriff's Work Health and Safety Law Guide*, an online service available from SAI Global.



New work health and safety laws in 2012

NSW is working towards new work health and safety (WHS) laws to take effect from 1 January 2012.

The WHS laws will replace the occupational health and safety (OHS) laws in NSW. These new laws will be consistent across Australia, making it easier for you to operate in different parts of the country. If you are complying with the current OHS laws then you are well on your way to complying with the new WHS laws.

However, there are some changes and you need to know how they will affect you.

What are the main changes?

- If you are an employer, sole trader, association, partnership, corporation or volunteer organisation with paid workers, you will be classed as a person conducting a business or undertaking (PCBU). 'PCBU' will replace the current term 'employer'.
- If you are an employee, volunteer, labour hire staff, apprentice, work experience student, trainee, outworker, sub-contractor or contractor working for a PCBU, you will be classed as a 'worker'. 'Worker' will replace the current term 'employee'.
- If you are a supplier, designer, manufacturer, importer, or manager or controller of a workplace, you will have specific duties in addition to those as a PCBU.
- Health and safety representatives will replace current OHS representatives and play a key role in consultation.
- If you work in – or even just visit – a workplace, you will have WHS rights and duties.

What should you do?

For the latest on the new laws or to register for WorkCover's free workshops and presentations, visit the [WorkCover website](#). For advice, call WorkCover on 13 10 50.



International update

New Zealand opening to competition again

Following the removal of competition for the Workers' Compensation account within Accident Compensation Corporation's (ACC) provision in New Zealand 10 years ago by the then Labour Government under Helen Clark, the present National Government under Prime Minister John Key has announced that it is looking to open the Workers' Compensation or Employers' account for competition once again.

ACC had already begun to dip its toe in the water by outsourcing some of the Claims Management to some independent sources.

At the beginning of June, the ACC Minister, Dr Nick Smith, announced the Government's proposal to open up the Workers' Compensation account (also known as the Employers' account), once again to private competition with the release of a discussion paper on the issue. The paper puts forward the case for a mix of private and public provision of services which is common in other developed countries.

Reactions from insurers in New Zealand has been rather cautious, as the last foray into private provision only lasted for a year and insurers had committed a lot of expense to set up their Workers' Compensation operations. Insurers have therefore voiced some concerns regarding the suggested framework, which will need discussion.

Even during this brief period, however, there was excellent statistical evidence of improved rehabilitation rates, faster returns to work, good cost savings – not to mention insurer profitability.

Effectively, Dr Smith's announcement is the move that fans of the free market have been waiting for – a return to competition for the underwriting, allowing us to provide an end-to-end service. However, given the Christchurch earthquakes have left many underwriters in the New Zealand market smarting, and possibly lacking capital to play with, it will remain to be seen how many of them will have the stomach to re-enter the fray.

In addition, the shaky position of some underwriters in the NZ market, such as AMI which has required a Government bail-out pledge, means that it may be politically difficult for the Government to re-open the ACC scheme to private competition. We are yet to

find out whether the Government will have the stomach to push that one through.

And, of course, everything depends on the National Government being re-elected in November. Following that, the timescale for the new Workers' Compensation environment is likely to be the second half of 2012.



People

August courses on the National Training Calendar

Course	Location
ACT	
Incident Notification and Investigation for Supervisors and Managers	ACT
Integrated Approach to OH&S, Workers Compensation and RTW	ACT
NSW	
An Introduction to Return to Work Coordination (accredited by WorkCover NSW)	Sydney, Newcastle
Liability of Directors / Senior Officers*	Sydney
OH&S Compliance: Managing the Data to Meet the Requirements*	Sydney
Workplace Bullying and Harassment*	Sydney
Workplace Health and Performance*	Sydney
OH&S and Risk Management for Supervisors and Managers and Integrated Approach to OH&S, Workers Compensation and RTW	Newcastle
Manual Handling Risk Assessment for Supervisors and Manager and Incident Notification and Investigation for Supervisors and Managers	Wollongong
SA	
Integrated Approach to OH&S, Workers Compensation and RTW	Adelaide
Liability of Directors / Senior Officers*	Adelaide
Major Occurrences: Managing the Consequences	Adelaide
OH&S for Supervisors and Managers	Adelaide
Workplace Bullying and Harassment*	Adelaide
TAS	
Manual Handling Risk Assessment for Supervisors and Manager	Launceston
OH&S and Risk Management for Supervisors and Managers	Launceston
VIC	
A National Summary to Workers Compensation	Melbourne
Advanced Role of Return to Work Coordination*	Melbourne
Benefits of Incident Management and Early Intervention*	Melbourne
Incident Notification and Investigation for Supervisors and Managers	Glen Waverley
Manual Handling Risk Assessment for Supervisors and Managers	Melbourne, Glen Waverley
Maximise Productivity and Staff Engagement through Wellness Programs*	Melbourne
OH&S and Risk Management for Supervisors and Managers	Melbourne, Glen Waverley
A Quick Guide to Workers Compensation Claims	Geelong

Role of Return to Work Coordinator (approved by WorkSafe Victoria – two days)	Melbourne, Bendigo, Mildura, Glen Waverley
Workplace Health and Performance*	Melbourne
WA	
A Quick Guide to Workers Compensation Claims	Perth
Incident Notification and Investigation for Supervisors and Managers	Perth
Integrated Approach to OH&S, Workers Compensation and RTW	Perth
Manual Handling Risk Assessment for Supervisors and Managers	Perth
OH&S and Risk Management for Supervisors and Managers	Perth

* New course

Workers Compensation policyholders are reminded that the majority of our courses are free to attend and, where there is a charge, it has been discounted. QBE's training courses have been developed by various experienced facilitators, targeting both employers and intermediaries.

For more information

For more information, visit [QBE's website](#), where you can download our interactive calendar and register for a course. Enquiries can also be made to our National Training Coordinator, [Katrina Broad](#), at 1800 198 243.



NSW Health Exposition with QBE Partner Recovre

Our people are important to us. Whilst we can't manage their health, we can provide a platform for them to be educated and act from.

This is the second year QBE has run its successful Health Expositions in New South Wales with partner Recovre.

Set up like a health fair of stalls and educators, last year nearly 190 staff underwent non-invasive health checks such as blood glucose, blood pressure, vision testing and body mass index testing. During the day we made health smoothies and gave staff tips on staying healthy.

This year is looking even bigger. We have a range of suppliers providing samples for staff showbags, health food cooking displays, fitness demonstrations as well as a new element of 'feeling good, looking good' where we focus on grooming in addition to our internal fitness regimes.

By educating our team members on their health and providing an opportunity to stop in their busy schedules and praise or raise any health issues is as important to us as it is to our team members. We believe that supporting healthy habits cycle through home and work life – which is important with the balance of life we all face. The result we hope is happier, healthier staff.

The travelling Health Expo will be visiting regional and metropolitan centres on each Friday in September, and everyone is encouraged to get involved.



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