

28 February 2025

Manager Policy & Legislative Services  
WorkCover WA  
Via Email: [consultation@workcover.wa.gov.au](mailto:consultation@workcover.wa.gov.au)

**Re: Submission in response to the 2023 Act Implementation Review Consultation Paper – January 2025**

Dear Sir/Madam,

Please accept the following comments as our response to the abovementioned consultation paper.

**1. Settlement agreements – approved form**

- We expect that employers would be materially affected by removing the ability for parties to a settlement to agree a time limitation on the income compensation that can be paid following settlement agreement.
- Without a firm end date to income compensation employers and the scheme will be exposed to additional claims costs due to factors outside of their control, including the time taken for a worker to sign a settlement document and the efficiency and accuracy with which an insurer can administer and submit the documentation.
- There is also no avenue to handle disputes where a worker is delaying signing the settlement document.
- In order to protect employers and the scheme we propose that WorkCover WA do not modify the approved form SF1 settlement agreement by including a statement declaring income compensation will not cease until the settlement agreement is registered by the Director, and that the parties to settlement be left to negotiate this on their own terms.

**2. Permanent impairment agreement– PI Notice process**

- We propose removing the requirement for the worker to initiate the PI process, but maintain the option for the worker to do so.
- This is on the basis that the employer/insurer should be able to initiate the process where it has, or will book a PI assessment since this is the most common practice.

**3. Permanent impairment assessment by APIA**

- We do not submit any proposed changes.

**4. Giving notice of intention to reduce or cease income compensation - return to work**

- We posit that the proposed changes outlined in the consultation paper complicates the purpose of the CN2 notice by adding layers of administration that are superfluous and ambiguous.
- Some of the proposed extra steps to confirm return to work and pay may not be achievable in the event a worker commences employment with a new employer or leaves the state or country.
- We believe further consultation is required with AILA and the ICA to confirm the intent and administration of any proposed changes before they are made.

**5. Giving notice of intention to reduce or discontinue income compensation – worker in custody**

- We do not submit any proposed changes.

**6. Return to work program – approved form and guidance**

- Based on feedback from employers and vocational rehabilitation providers our position is that the RTW document template is not user friendly and not aligned with the current standards applied within the vocational rehabilitation providers industry.
- We are aware that ARPA have advocated to have this form modified since it's inception and we support this position.

**7. Noise induced hearing loss – claim form**

- We do not submit any proposed changes.

**8. Noise induced hearing loss – audiological test report**

- We do not submit any proposed changes.

**9. Broker access to personal information**

- Our position remains that we would like to engage in genuine discussion with WorkCover on the broker consent issue.
- We also request that WorkCover defines what information is and is not restricted by the WCIMA23, so that insurers can be comfortable and consistent in what they are able to share without consent.

**10. Additional modified penalties**

- We do not submit any proposed changes.

Regards

**The WA Workers' Compensation Claims Broker Group**  
Steering Committee

Representing:

- **BMS**
- **Fenchurch**
- **Gallaghers**
- **Nexus Advisornet**
- **Ross Tozer Consulting**

cc: **NIBA**