

Rehabilitation policy and procedures

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Policy statement and principles

What

As a good employer and as part of 'Our Business' of looking after our people, Police have a responsibility to facilitate rehabilitation by managing fairly and appropriately employees who are absent from work because of illness or injury. Continuing at work, or, if this is not possible, then an early and safe return to work which is consistent with the medical certification, is in the best interests of employees who become ill or who have suffered an injury.

This policy sets out information relating to rehabilitation and the return to and stay at work processes within New Zealand Police when an employee takes time off because of an illness or injury.

Why

The policy ensures that the approach and expectations of all involved in the process is fair, reasonable and transparent. It also supports the overarching principle of NZ Police being a 'good employer' under the Crown Entities Act 2004 and meets the organisation's obligations under the Accident Compensation Act 2001 and the ACC Accredited Employer Programme.

How

- Employees who become ill or who have suffered an injury are enabled to continue at work, or, if this is not possible, have an early and safe return to work, when that is consistent with the medical certification and is in their best interests.
- The rehabilitation of employees is conducted in accordance with [Our Values](#).
- Supervisors are responsible for initiating and managing the rehabilitation of their employees.
- Employees are entitled to have a support person present during any meeting.
- All medical information is kept and handled in line with the [Privacy Act 2020](#), is confidential and kept separate from other personnel files.
- All matters relating to disciplinary action are dealt with outside the rehabilitation process.
- Work-place rehabilitation, including alternative duties is finite and at the appropriate time, the merits of each employee's situation is addressed on a case-by-case basis.

References:

- [Policing Act 2008](#)
- Our Business - Policing through a culture of high performance
- [Employment Relations Act 2000](#)
- [Accident Compensation Act 2001](#)
- [Crown Entities Act 2004](#)
- [Health and Safety at Work Act 2015](#) and any subsequent amendments
- [Health Practitioners Competency Assurance Act 2003](#)
- [Privacy Act 2020](#)
- [Police Code of Conduct](#)
- [Health Information Privacy Code 2020](#)
- [Code of ACC Claimant Rights 2002](#)
- [Code of Health and Disability Services Consumers' Rights 1996](#)

Related Police Manual chapters and employment contracts

These Police Manual chapters contain related procedures for employees and supervisors:

- [Work related injuries](#)
- [Non-work related injuries](#)
- [Illness related absences](#)

The collective and/or individual [employment contracts](#) must also be taken into account during the rehabilitation process.

Commissioner's Rehabilitation Policy Statement

As part of 'Our Business' and commitment to Wellness & Safety by looking after our people, New Zealand Police is committed to providing proactive, effective and appropriate rehabilitation for all employees who are injured or who become ill during or outside of work.

A Rehabilitation Policy has been developed to manage the rehabilitation process, in accordance with relevant legislation and regulations. The Policy details the responsibilities of employees, supervisors and leaders in early notification, monitoring, review and prevention of injuries and illness.

The New Zealand Police executive leadership team is committed to supporting a best practise approach in managing injuries and illness, preventing escalation, and providing appropriate support to employees and supervisors for a safe and timely return to work of the injured or ill employee. This includes an approach which is respectful of diversity, that treats all employees in a fair and confidential manner and acknowledges the employee's right to support.

Download the signed Commissioner's [Wellness, Safety and Rehabilitation policy statement](#)

Rehabilitation process outlined

Introduction

The process outlined in this section and the responsibilities of those involved are based on the presumption that in most cases the employee will, with appropriate treatment and rehabilitation support, return to full duties.

The rehabilitation process continues until the employee has been medically cleared to resume their pre- illness or pre - injury role. However, some employees will not regain fitness for their pre- illness or pre- injury role and in those cases voluntarily or compulsorily leaving the Police on medical grounds will be considered on a case-by-case basis. (See [Leaving Police on health grounds](#) for more information).

Rehabilitation and Return to work related forms

The templates for the following documents which can be used by supervisors are available [here](#):

- Consent for Rehabilitation
- [Injury information and letter for your medical practitioner](#) (the letter used for rehabilitation and return to work advice in the early stages of rehabilitation process)
- [Organisational Care Plan - Return to Work](#)
- Manager's weekly monitoring form (for use where there is a work-related injury or illness claim - which should be sent to Howden Care)

Best practice rehabilitation

Best practice rehabilitation relies on:

- early and appropriate contact being made with the ill or injured employee
- the medical, social and work needs of the ill or injured employee being assessed and recorded at the earliest possible opportunity
- a rehabilitation meeting being conducted as soon as possible following the injury or incapacity, where all parties attend
- an [Organisational Care Plan - Return to Work](#) is developed and agreed upon as soon as practical
- regular ongoing meetings being held where all parties attend and the [Organisational Care Plan - Return to Work](#) is updated as appropriate
- the rehabilitation process continuing until the ill or injured employee returns to their pre- illness or pre- injury role or an alternative role
- specialist medical advice being sought when appropriate.

Supervisor's role in managing rehabilitation

Supervisors should:

- take the lead role in initiating and managing the rehabilitation of their employees following work absences due to illness or injury
- be supported by Return to Work Advisors, Health & Safety Advisors, Wellness Advisors or HR Advisors (where present) and where appropriate, Third-Party administrators (currently Howden Care - for both work and non-work injuries) and relevant health professionals.

These chapters detail the procedures to be followed for:

- [Work related injuries](#)
- [Non-work related injuries](#)
- [Illness related absences](#)

Recording of work-injury at the time of the accident

It is essential for any work-related injury to be recorded and accepted by Police.

The employee should go to:

Employee Self Service (ESS) "Create an Incident" and for supervisors to Managers Self Service (MSS) section of My Police, via PC or mobility device.

Organisational Care Plan - Return to Work

The [Organisational Care Plan - Return to Work](#) is a living document requiring agreement from all parties. The plan should:

- set out the relevant medical, social and work needs of the ill or injured employee, including the recording of alternative or light duties proposed or undertaken
- record clear goals and timeframes
- incorporate regular review dates
- be signed by all relevant parties
- have review rights incorporated as per legislation, where the injured employee is covered by the [Accident Compensation Act 2001](#) and subsequent amendments.

Alternative duties

Some [Organisational Care Plan - Return to Work](#) plans involve a period of temporary partial hours or alternative duties as part of the rehabilitation process.

Suitable temporary alternative duties must be work that is:

- safe for the employee to do and which will not aggravate their medical or physical condition
- meaningful
- compatible with the employee's capabilities and medical or physical condition (the nature of the work and the hours worked)
- agreed by the treating health practitioner to be work that is appropriate.

Employee's rights and responsibilities

This table outlines employees' rights and responsibilities in relation to rehabilitation after illness or injury.

Employees have the right to expect NZ Police to...	Employees have a responsibility to...
<ul style="list-style-type: none">- comply with relevant legislation- make early contact with the ill or injured employee- provide each employee with information about the rehabilitation process- complete an Organisational Care Plan - Return to Work- provide accommodation within the workplace allowing for rehabilitation- provide work-place support and relevant resources necessary for rehabilitation- not initiate unrelated disciplinary matters during the course of rehabilitation- allow the employee to bring a support person to all meetings.	<ul style="list-style-type: none">- provide their supervisor with all relevant medical certificates for time taken off work- inform their supervisor at the earliest opportunity with regard to their injury or illness- make themselves available to attend rehabilitation meetings as soon as reasonably possible after the commencement of their incapacity- keep their supervisor informed of any changes in their circumstances- abide by the agreed Organisational Care Plan - Return to Work- engage in the rehabilitation process

When employees do not participate in rehabilitation processes

The illness or injury management rehabilitation process depends on co-operation and good faith between all participants. As a usual condition of employment, employees have a duty to maintain regular contact with their supervisor and to co-operate with the agreed rehabilitation programme.

If employees do not, without good cause...	then...
<ul style="list-style-type: none">- maintain regular contact with their supervisor- make themselves available from the outset of their incapacity to discuss and plan their rehabilitation and to attend rehabilitation meetings- keep their supervisor informed of changes in their circumstances (e.g. the nature of their illness/injury, contact details etc)- and/or take other actions that may impede or frustrate their early and safe return to work.	<ul style="list-style-type: none">- the employee may be considered to be un-cooperative.- the Police may consider that such actions constitute a performance issue and may, on a case-by-case basis, initiate disciplinary procedures.

Confidentiality of medical information

Police are bound by the conditions as set out in the [Health Information Privacy Code 2020](#).

A separate medical file (this can be a file in My Police) will be created to hold relevant information about employees. This file must be held securely and separately from the employee's personal file. When an employee leaves NZ Police, their file must be transferred to Safer People, Police National Headquarters and archived in accordance with NZ Police's legislative responsibility.

Rehabilitation disputes resolution process

Disputes related to rehabilitation

Disputes may arise as a result of:

- NZ Police failing to implement the policies and procedures detailed in this Police Manual chapter in an appropriate manner
- an employee failing to carry out their responsibilities
- a particular rehabilitation plan not delivering either party with the desired outcome.

Where a dispute arises, either party may implement the dispute resolution process, and where a party does not participate in that process:

- the employee may raise a personal grievance under section 103 Employment Relations Act 2000, or
- NZ Police may begin disciplinary processes under the [Code of Conduct](#).

Dispute resolution process

Most disputes/complaints can be sorted by informal discussion, so contact:

- your Return to Work Advisor or HR Advisor
- your supervisor or manager, or
- Howden Care/ACC case manager.

Let us know by contacting us and we will do our best to resolve it.

In the event of a dispute arising during the rehabilitation process that is not able to be resolved at a District or Service Centre level, the Director - Assurance, Assurance, Strategy and Service, PNHQ is the Dispute Resolution Manager.

In the case of a disagreement about a rehabilitation plan's options or outcomes, the Director - Assurance, Assurance, Strategy and Service, PNHQ must arrange referral to a relevant occupational medicine specialist. If the employee obstructs or refuses to participate in the rehabilitation process, as a last resort, NZ Police may begin disciplinary processes under the appropriate employment agreement. See also the [Disciplinary policy](#) and associated [Disciplinary Process Guidelines](#).

Employee's options

If the employee is not happy about any matter relating specifically to the rehabilitation process, they should discuss the situation with their supervisor. If this is inappropriate, the Return to Work Advisor, Health & Safety and/or HR Advisor is available to assist.

All unresolved disputes/complaints should be forwarded to the Director - Assurance, Assurance, Strategy and Service via DisputesManager@police.govt.nz.

The employee may also seek assistance from their service organisation representative.

ACC/Howden Care reviews and complaints

If the complaint arises as a result of an ACC claim, then the ACC review process may be implemented to resolve any disagreement or conflict.

If the complaint relates to entitlements under the ACC legislation (work or non-work injury) the dispute resolution process of ACC may be initiated. The employee should be directed to make contact with Howden Care for work injuries or ACC for non-work injuries as detailed below.

Contact details

Make contact as follows:

Rehabilitation policy and procedures
Proactively released by New Zealand Police

For...	Action
Work-related claims	Contact Howden Care who will provide the necessary forms: - 0508 333 999 - howdencare.nz@howdengroup.com. - Howden Care, PO Box 784, Shortland Street, Auckland 1140
Non-work injury Reviews	Contact the ACC Review Unit: - 0800 101 996 - P.O. Box 242, Wellington
Non-work injury Complaints	Contact ACC's Customer Resolution Service: - 0800 650 222 - complaints@acc.co.nz
NZ Police	Contact the Disputes Resolution Manager: - DisputesManager@police.govt.nz

Summary information for all employees

(This page provides summary information for employees. Police must provide this information as part of their obligations under the ACC Partnership Programme)

As a good employer, Police have an obligation to assist employees who are ill or injured.

Where to find information?

The way in which Police assist the rehabilitation of employees who are injured or become ill is detailed in this 'Rehabilitation policy and procedures' chapter published in Police Instructions. Your supervisor, Return to Work Advisor, Health & Safety Advisor, Wellness Advisor, HR Managers, HR Advisor or service organisation representative can also assist.

Background

Employee absence or disability can impose considerable cost to the:

- wellbeing of individuals, their families, and work mates, and
- productivity and efficiency of the organisation.

The loss of workplace social contact and bonding can, in some circumstances, have an added negative impact on individuals. Research has shown the restoration of workplace social contact has considerable therapeutic benefit in rehabilitation.

While the majority of absences are short term and do not require rehabilitation, some absences, especially those of longer-term duration, clearly benefit from proactive management which is started early.

While early contact by a supervisor is a key factor in effective absence management, the principle of "early return to work" is essentially the second half of the formula for achieving a successful rehabilitation outcome.

To achieve this successful outcome, management, supervisors and employees must work together in a fair and open process as outlined in the "Rehabilitation policy and procedures" to ensure the benefits to individuals and to the Police are realised.

What does this mean for me?

All employees in Police are subject to the requirements of the 'Rehabilitation policy and procedures'.

By working in a co-operative manner with all parties involved, your rehabilitation can be enhanced benefitting yourself, your family and your peers. Failure to reasonably co-operate with a fair rehabilitation process may, in individual cases, be classed as misconduct and may lead to disciplinary action.

Are there obligations in the rehabilitation process?

The 'Rehabilitation policy and procedures' is based on rights and duties for both employer and employees. These rights and duties are based on general employment law principles and include the general duty of fair dealing and process.

This is in general terms: - for Police and employee

- to allow for and enable an early return to work within a reasonable timeframe
- to actively promote and participate in return to work rehabilitation
- to provide information on reasons for absence and rehabilitation services available
- to be in regular contact with supervisors
- the right to have privacy of health information
- to seek the relevant medical input when decisions about work arise.

What are the key factors in the rehabilitation process?

The key factors for a successful outcome are:

- Responsibility lies with line management, not other support services.
- Early notification of absence from work for any reason by the employee or their family.

- A fair process working together with individuals and their support services to secure an early, safe and sustainable return to work.
- Privacy of health information is maintained, and collection, handling and use of personal information is in line with the Privacy Act 2020.
- Early and continued contact and communication.
- Early and accurate information on reasons for absence.
- Early arrangement of rehabilitation meetings with all appropriate persons being present.
- Setting up an [Organisational Care Plan - Return to Work](#) with clear objectives, time frames, expectations, responsibilities and review points.
- Regular review and adjusting of [Organisational Care Plan - Return to Work](#) as required.
- A return to work interview with your supervisor to ensure that any remaining issues and concerns are addressed.

Injury cases and case management

Case type	Case Management
- Serious injury cases	External case managers are mandated by ACC legislation.
- Work related injury cases - Non-work injury cases - Work related motor vehicle accident cases	Police provide case management and rehabilitation services through: Howden Care, PO Box 784, Shortland Street, Auckland 1140 Email: howdencare.nz@howdengroup.com .

If you disagree with the handling of your injury claim, please contact the appropriate case manager who will advise you of your rights.