



Australian Government

**Department of Employment,
Skills, Small and Family Business**

Participants in employment assistance programs

A Guide to your Insurances



Introduction

The department has a number of insurance policies for participants in approved employment assistance programs to ensure participants, host organisations and employment service providers are covered in the event of an incident or accident at an approved activity.

Participants registered under Disability Employment Services (administered by the Department of Social Services) or the Community Development Program (administered by the Department of the Prime Minister and Cabinet) who participate in the above approved activities, will also be covered by these insurance policies.

These policies are:

Insurer	Insurance	Coverage
Accident and Health International Underwriting Pty Ltd	Group Personal Accident Insurance	Participants injured whilst participating in approved employment assistance activities including travel to and from such activities.
PEN Underwriting Pty Ltd	Combined Liability Insurance	Participants' liability arising from their negligence that cause personal injury to third parties or damage to third parties property, whilst participating in approved employment assistance activities.
PEN Underwriting Pty Ltd	Combined Liability Insurance	Owners and land lease holders of Private Property and Farms where <u>their own</u> public liability insurance does not provide for circumstances involving participants participating in Work for the Dole – Community Support Projects.

The department also contracts an insurance broker, Arthur J Gallagher (**Gallagher**) to manage its insurance arrangements for participants and Host Organisations and to assist Providers and participants as required.

Who is covered?

The insurance arrangements cover participants in employment assistance programs, including, but not limited to:

- jobactive program
- Transition to Work
- ParentsNext

- New Enterprise Incentive Scheme, and
- Collaboration Agreements executed under Stronger Transitions.

Who are undertaking activities including, but not limited to:

- Work for the Dole
- Community Support Projects
- National Work Experience Program
- Voluntary Work
- Non-government programs approved for Annual Activity Requirement purposes
- Other approved work experience (including Work Experience Other)
- Employability Skills Training
- PaTH Internships
- Career Transition Assistance
- New Enterprise Incentive Scheme Training
- Regional Employment Trials
- Entrepreneurship Facilitators
- Exploring Being My Own Boss Workshops
- Transition Services Activities (including Comprehensive Skills Assessments).

What happens if you are injured?

The following table describes what should happen if you are injured.

Phase	Timeframe	Who	Requirements/processes
Initial	Incident occurs 0–2 Hours	Participant	Reports the incident to their supervisor and/or provider
		Host/employer	Help the participant: <ul style="list-style-type: none"> • Make sure they are safe and comfortable • Offer first aid • Contact emergency services (if needed) • Contact the participant’s provider
		Host/employer	Complete the incident report form: <ul style="list-style-type: none"> • Records all details of the incident, and • Supplies the form to the provider
Day 1	Within 24 Hours	Provider	Report the incident to the department by recording the incident in the WHS Incident screen in ESS Web. Note: A reference number will be provided on submission. Please contact AssistanceProgramIncidents@employment.gov.au if a number is not provided.

		Department	<p>Reviews the incident report and any additional information submitted:</p> <ul style="list-style-type: none"> • Follows up with the provider to address any concerns raised by the incident • Reports incidents to the department's broker and insurer • Supports providers with insurance processes
On Going Support	Day 2+	Provider	<p>Support the participant:</p> <ul style="list-style-type: none"> • Review the incident form and have the participant sign it (if possible) • Advise the participant to seek treatment from an appropriately qualified professional • Provide the participant with a copy of this guide and explain how and what they can claim from insurance • Assists participant to complete insurance paper (as necessary) • Offer Medicare gap fee coverage from the Employment Fund (as necessary)
		Participant	<ul style="list-style-type: none"> • Seeks medical treatment (if required) to assist in recovery • Retains receipts and seeks reimbursement of costs from Medicare • Submits an insurance claim if they are out of pocket in relation to the injury. <p>Note: the Provider will help the participant if they require assistance with the claim form or with the insurer in general</p>
		Insurer	<p>Considers the participants claim and relevant information:</p> <ul style="list-style-type: none"> • Assessed claim and evidence supplied by the participant • Advises the participant of outcome including claim processes and insurance coverage and limits (as necessary) • Reimburses eligible medical expenses in accordance with the policy and evidence supplied by the participant/provider.

What should you expect from your provider?

Your employment services provider is responsible for the following:

- Giving you a copy of, or telling you where you can find, this document.
- Supporting and assisting you in your recovery if you are injured on an activity and providing you with assistance to submit an insurance claim if required.
- Adhering to insurance arrangements and incident management procedures outlined in the *Readers Guide to the Insurances purchased by the Department of Employment, Skills, Small and Family*

Business for participants undertaking approved employment assistance activities and any applicable deeds or Guidelines.

- Reporting any incidents and/or near misses that occur to the department and the department's broker, Arthur J Gallagher, as soon as practicable and within 24 hours and providing updates to the department on incidents as required.
- Reporting 'notifiable incidents'¹ that occur in their workplace to their jurisdiction's Work Health and Safety Regulator. 'Notifiable incidents' may relate to any person—whether an employee, contractor or member of the public. Providers must advise their Account Manager **immediately** of such an event and advise if the incident has been reported to the relevant Work Health and Safety Regulator.
- Supporting and assisting Gallagher and (for participants accidents/injury) AHI and the department upon investigation of insurance claims.
- Educating themselves on work health and safety legislation applicable in their jurisdiction.

¹ <https://www.safeworkaustralia.gov.au/doc/incident-notification-fact-sheet>

GROUP PERSONAL ACCIDENT INSURANCE

How do I make a claim on the insurance policy?

1. Report the incident/accident immediately to both your supervisor at the location where the incident/accident occurred and your Provider.
Note: Your host and provider will notify the department that an incident has occurred.
2. Seek medical attention, if required, from your doctor or the local medical clinic. Retain any receipts.
3. Request a copy of AHI's claim form from your provider or seek assistance from your provider to complete AHI's Claim form. Give your provider any receipts you have collected for reimbursement
4. Your Provider will submit the claim form to AHI.
5. If required the insurer will contact you/your provider directly regarding the progress of your claim.

What is covered by the policy?

This insurance policy provides cover to participants for an injury or death that occurs while participating in approved activities including direct travel to and from such activities.

Travel includes:

- from the participant's home to the approved activity
- between approved activities
- during the approved activity
- between the Provider's location to the approved activity and vice versa.

"Injury" means bodily injury resulting from accident and which is not an illness and which:

- (a) occurs during the period of insurance, and on or after the insured persons effective date of individual insurance
- (b) occurs within 12 months of the injury, results solely and independently of any other cause (such as any pre-existing physical or congenital condition) in the events covered under this policy, and
- (c) includes any condition resulting from exposure to the elements whether as a result of injury or not.

What is NOT covered by the policy?

- This policy will not pay doctors' bills, hospital bills, or other medical accounts that are recoverable under Medicare.
- This policy will not pay for any balance of monies due or payable after deduction of any Medicare benefit, commonly referred to as the "Medicare Gap".
- The Personal Accident Policy is not a workers' compensation policy. Participants in the approved activities covered by this policy do not qualify for workers' compensation.

If you do incur 'gap' expenses, reimbursement of these expenses may be permissible. See section '*Medicare 'gap' and out-of-pocket expenses*' below for further information.

What medical costs are covered?

Reimbursement for costs certified necessary, by a legally qualified medical practitioner, and incurred within twenty four (24) months of the participant sustaining injury, for medical expenses and treatment following

an accident, do not attract a Medicare rebate. Such costs include:

- ambulance service, operating theatre fees in a private hospital, bed/room charges in a private hospital, chiropractor, physiotherapist, osteopath, naturopath, masseur, nurse or similar provider of medical services.

What medical costs are not covered?

Costs that attract a Medicare rebate are not covered. For example, medical bills from doctors, surgeons, anaesthetists, pathologists, drugs or medicinal preparations that form part of an ancillary health benefit pursuant to the *Health Insurance Act 1973*. You should submit these bills to Medicare for reimbursement, in the first instance and seek reimbursement for outstanding expenses from their provider, see below for more information.

Cost of dental treatment is also excluded under the policy, unless such treatment is necessarily incurred to sound and natural teeth, excluding dentures, and is caused by injury directly related to the incident.

Reimbursing Medicare 'gap' and other expenses through the Employment fund

If you incur an expense as a result of an injury not covered by Medicare or the department's insurance, you may claim through the provider's insurance. If the provider's insurance cannot pay these expenses, reimbursement may be claimed through the Employment Fund (EF).

Reimbursement of 'out of pocket' expenses through the EF is made on a case-by-case basis, it is not automatic.

The process to reimburse these expenses is as follows:

1. You receive and pay for medical treatment and claim any available reimbursement from Medicare.
2. If there is a 'gap' between what you paid and the Medicare rebate submit evidence of payment and the 'gap' to your Provider for consideration.
3. The Provider ensures the relevant information has been provided to support the claim, pays you and then seeks reimbursement through the Employment Fund.

COMBINED (PUBLIC AND/OR PRODUCTS) LIABILITY

Making a Public & Products Liability Claim

1. Report the incident/accident immediately to your supervisor at the location where the incident/accident occurred and to your Provider.
2. Do not admit fault, accept responsibility or enter into any discussions or correspondence with any third parties.
3. Read, complete and sign the Liability claim form with your Provider including supplying any relevant supporting documentation.
4. Your Provider will then forward the Liability claim form to AJG who will submit it to the insurer on your behalf.
5. If required, AJG or the insurer will contact you directly regarding the claim.

What is covered?

This policy is provided by PEN Underwriting and covers participants' liability arising out of their negligence that causes personal injury to third parties or damage to third parties' property while participating in approved activities.

What are the major exclusions?

This insurance policy does **not cover** any liability arising from:

- any hovercraft, aircraft or any aerial device
- any watercraft that measures in excess of 10 metres in length
- any registered motor vehicles or vehicles required by law to be registered
- pollution, unless sudden and accidental
- asbestos
- product recall or defective work
- libel and slander related to advertising, broadcasting or telecasting activities
- fines, penalties, punitive or exemplary damages
- any activity undertaken that is not part of the approved activity.

For additional Combined Liability Insurance information, see the full insurance policy document available on the [Provider Portal](#).

What to do when a Third Party is injured or has their property damaged

The Provider and/or Host Organisation **must**:

1. Assist the injured person and notify any emergency services, if appropriate to do so.
2. Take all reasonable steps, following an accident or loss, to protect any person or property from any further injury, loss or damage.
3. Never admit liability verbally or in writing, or make any statement implying fault or accepting responsibility. To do otherwise may prejudice your claim with the Insurer. The Insurer has undertaken to accept the risks you have insured against, so it is their responsibility to accept or reject liability.

4. Immediately record all details (no matter how trivial it may seem at the time) of:
 - (a) the incident (location/time)
 - (b) any third party who has, or may have, sustained injury, loss or damage
 - (c) any witnesses to the accident or loss.
5. Complete the **Public and Products Liability Claim Form /Incident Report** with the participant and forward it and any relevant documentation to AssistanceProgramIncidents@employment.gov.au.
6. If contacted by a third party, the third party's doctor, or hospital requesting information as to the payment of the claim, please advise that any queries should be directed to Gallagher at GOV.claims@ajg.com.au and forward any correspondence received from third parties to Gallagher and the department at AssistanceProgramIncidents@employment.gov.au.

Important Notices

General Advice Warning

This advice has been prepared without taking account of your objectives, financial situation or needs. You must therefore assess whether it is appropriate, in the light of your own individual objectives, financial situation or needs, to act upon this advice.

If this advice contains information about a particular financial product, you should ensure you obtain a Product Disclosure Statement in respect of that product prior to making any decision to acquire that product.

Your adviser is authorised to provide advice on general insurance products to retail clients subject to the authorisations and conditions of AFS license number 227017. In giving this advice your adviser is acting in the capacity of a representative of Arthur J Gallagher.

Disclaimer

This document is for summary purposes only and does not represent the official policy and schedule as verified by the insurer. Where the policy and/or schedule and this summary contradict or do not correspond, then the policy and/or the schedule takes precedence at all times.

Privacy Statement

Arthur J. Gallagher (Aus) Pty Ltd ('AJG') handles your personal information with care in accordance with the Privacy Act. AJG collects information about you to provide you with insurance, risk management and claims services. AJG may disclose your personal information to third parties for the purposes described in our Privacy Policy, including our related companies, our agents and service providers, insurers, premium funders and risk management consultants. Your personal information may be disclosed overseas but only entities of those countries where we are satisfied there is a similar privacy law or scheme to Australia and there are mechanisms for the individual to enforce the protection. By asking us to assist with your insurance, risk management and claims needs, you consent to the collection, use and disclosure (including overseas disclosure) of your personal information for the purposes described in our Privacy Policy. Where you provide information about others, you represent to us that you have made them aware of that disclosure and of our Privacy Policy and that you have obtained their consent. If you do not provide us with full information, we cannot properly advise and assist you and you may breach your duty of disclosure. For information about how to access and or correct the personal information we hold about you or if you have any concerns or complaints, ask us for a copy of the AJG Privacy Policy or visit www.ajg.com.au.

Further information

Any enquiries relating to the information in this document or the insurance policies should be directed in the first instance to your Provider.

More information can be found at:

Department of Employment, Skills, Small and Family Business

Phone: 1800 805 260

Web: www.employment.gov.au

jobsearch: www.jobsearch.gov.au

Transition to Work: www.employment.gov.au/transition-work

ParentsNext: www.employment.gov.au/parentsnext