



Medical Conditions Notification Policy

Health and Safety Branch
People and Culture Directorate

Policy no [inserted by Governance Branch]
Version 1 Draft 1 – 25 June 2021

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1 Purpose

Fire and Rescue NSW (FRNSW) is committed to a safe and healthy workplace, where risks to safety posed by certain medical conditions are managed as part of FRNSW's risk management framework.

This policy sets out the obligations and requirements for firefighters in relation to medical condition notification.

2 Scope and application

This policy applies to all firefighters in relation to illnesses and injuries not already being dealt with as a worker's compensation matter. This includes recruits awaiting or undergoing training. For notifiable conditions covered by workers compensation, management will be consistent with the FRNSW Return to Work Policy and Program. The policy applies whenever a firefighter has a Notifiable Medical Condition (see Appendix A). From the date of this policy, this includes:

- Absences requiring sick leave related to the notifiable condition
- Where the notifiable condition has arisen during or required treatment during a period of other leave, whether leave was taken because of the medical condition or the issue arose coincidentally during leave. This includes periods of leave without pay, annual leave, long service leave and maternity leave.
- When no leave has been taken for the notifiable condition.
- Where a firefighter has been accommodated for the notifiable condition with suitable duties.

Notifiable Medical Conditions (as per Appendix A) serve to clearly define the intention of Industrial Awards where the Nature of Illness or Incapacity is required to be stated on medical certificates. This notification must be provided where required to supplement medical certificates submitted.

3 Legal and policy framework

3.1 Legal framework

Both FRNSW and employees of FRNSW must accept responsibility in meeting their commitments under Work Health and Safety Legislation. Implementation of this policy meets FRNSW's obligations under the *Work Health and Safety Act 2011* in relation to assessing and managing health related risks.

FRNSW is committed to ensuring, as far as reasonably practicable, the health and safety of all employees and that the public is not put at risk by the work our firefighters are performing. Further, all employees are required to take reasonable care to ensure their acts or omissions do not affect the health and safety of themselves or others – this includes other FRNSW employees, and members of the public.

FRNSW is also committed to managing the privacy of firefighters' health information, as lawful and appropriate.

The *Health Records and Information Privacy Act 2002* allows health information to be collected, used and disclosed in certain circumstances, including:

- (a) in relation to assessing a person's ongoing suitability for employment (including assessment of fitness for duty / fitness to continue),

- (b) to manage absences and return to work programs, and
- (c) as required, authorised, or implied under other legislation, such as the *Work Health and Safety Act*, *Workers Compensation Act–1987*, and *Fire Brigades Regulation 2014*.

3.2 Policy framework

- FRNSW Work, Health and Safety Policy (CG10-003)
- FRNSW Risk Management Policy (CG06-004)
- FRNSW Health Standard for Firefighters 2016
- FRNSW Return to Work Policy and Program
- FRNSW Management of Injury and Illness in the Workplace Procedure
- FRNSW Privacy Policy

4 Policy principles

FRNSW recognises that effective management of medical conditions is fundamental to a safe and healthy workplace and is essential for FRNSW to deliver services aimed at maintaining community safety. This policy adopts the following key principles:

- There must be an appropriate balance between employees' privacy and other interests, including the maintenance of workplace health and safety. That balance is reflected in the development of a list of Notifiable Medical Conditions (see Appendix A), each of which has been determined to potentially affect capacity to safely perform ordinary firefighting duties.
- Upon being diagnosed with, or otherwise becoming aware of having, a Notifiable Medical Condition, a firefighter must as soon as possible, notify the FRNSW Health and Safety Branch by completing the *Medical Condition Notification Form* (Appendix B). This obligation arises regardless of whether or not the firefighter is on leave.
- If Sick Leave is taken relating to the Notifiable Medical Condition (as per Appendix A), this condition should also be stated on the medical certificate.
- Health information will only be used or disclosed as relevant, for the purpose for which it was collected, or as required, authorised, or implied by law. The following purposes are considered relevant for the use or disclosure of health information relating to a Notifiable Medical Condition:
 - Absence management
 - Workers' compensation management (including claims, case management and return to work programs)
 - Assessing Fitness for Duty/Fitness to Continue
 - Assessing Death and Disability Award entitlements
 - Responding to Coronial inquiries/inquests, and
 - Implementation of this policy.

4.1 Policy Compliance

This policy is about protecting the health and safety of firefighters and the public. All staff must comply with their relevant roles and responsibilities.

5 Policy implementation

The Medical Conditions Notification Policy and Procedure are part of FRNSW's 'Be Safe' Health and Safety Management System (HSMS), which ensures a holistic and systematic approach to the management of health and safety incidents, injuries and illnesses.

FRNSW's Health and Safety Branch has a Health & Medical Team consisting of Occupational Health Advisors and Occupational Physicians. Their focus is to work with firefighters, Managers and other Health and Safety Teams to implement this policy.

Other resources for implementing this policy and procedures are available on the [Health and Medical toolkits](#).

6 Roles and responsibilities

6.1 Executive Leadership Team

The Executive Leadership Team is responsible for:

- Ensuring appropriate resources are allocated to promote the health, safety and wellbeing of all employees.
- Ensuring communication and implementation of this policy.
- Ensuring managers and supervisors comply with this policy, including ensuring compliance in their areas of responsibility.

6.2 Managers and supervisors

Managers and supervisors are responsible for:

- Actively ensuring firefighters under their supervision comply with this policy.
- Treating all employee concerns regarding health, fitness and wellbeing respectfully and impartially.
- Managing related risk in the workplace in line with occupational medical advice.

6.3 Health and Safety Branch

The Health and Safety Branch is responsible for:

- Taking receipt of and secure storage of Medical Condition Notification Forms.
- Risk assessment of notified medical conditions in relation to the inherent requirements and operating environment of the firefighter's usual duties.
- Clear communication of risk and risk mitigation strategies to relevant stakeholders.
- Provision of education to firefighters and other stakeholders e.g. managers, on this policy.

6.4 Firefighters

Firefighters are responsible for:

- Taking reasonable care for their own health and safety and that of others at work.
- Complying with the requirements of this policy.

7 Training and support

The Health and Safety Branch provides information on WHS legislation and this policy and procedure through workplace forums and the intranet.

The Health and Safety Branch will develop relevant resources for Managers and Commanders which will be delivered at a mutually agreeable time. This can be repeated or supplemented at these meetings as required in the future. Tailored training programs will also be available and delivered as appropriate.

8 Monitoring and review

Directors and Senior Managers are responsible for monitoring and reviewing compliance with this policy and procedures.

9 Further information

For further information, contact the Director Work Health and Safety or the Manager Health Promotion on (02) 9265 2817.

10 Document information

10.1 Related documents

- FRNSW Work, Health and Safety Policy (CG10-003)
- FRNSW Risk Management Policy (CG06-004)
- Health and Safety Plan 2018-2020 & Safety and Wellbeing Plan 2021-2023
- FRNSW Health Standard for Firefighters 2016
- FRNSW Return to Work Policy and Program
- FRNSW Management of Injury and Illness in the Workplace Procedure
- FRNSW Privacy Policy

10.2 Document control

Policy Manager	Director Work Health & Safety
Contact Officer	Director Work Health & Safety
Contact No	[Contact Officer's phone number]
Document type	Policy
Applies to	<input checked="" type="checkbox"/> Firefighters <input type="checkbox"/> Community Fire Unit Members <input type="checkbox"/> Administrative and Trades Staff <input type="checkbox"/> Contractors and Consultants
Status	Draft
Security	For Official Use Only
File Reference	NFB/[File no.]
Review Date	[Select date – usually 3 years from date of issue]
Rescinds	[List any documents rescinded by this policy]
Copyright	© State of New South Wales through Fire and Rescue NSW

10.3 Revision history

Version	Date	Status	HPE RM Ref	Details
1 Draft 1	25/06/2021	Draft	[Record no.]	[Enter details]

Medical Conditions Notification Policy

Appendix A - Information Sheet

Background

Conditions of firefighting are unique, and safety critical duties are undertaken in inherently hazardous environments. The cardiovascular, physical and psychological demands of the job are high. Fire and Rescue NSW (FRNSW) has a duty of care under Work Health and Safety legislation to individual firefighters, their colleagues and members of the public and to this end, given the unique operating environment and safety critical nature of duties, certain medical conditions may require occupational medical review.

Principles

In general, the impact of a medical condition on firefighting and the impact of firefighting on the condition require consideration. Of particular concern are:

1. Conditions carrying potential to cause, or progress to cause, sudden incapacity, or impairment.
2. Conditions that could affect functional capacity to perform firefighting tasks.
3. Conditions which could be aggravated by firefighting duties thus resulting in injury to the firefighter and/or an acute safety incident.

Outcomes

After review of the appropriate information, a condition may be deemed of no significance or of ongoing significance for firefighting. Information is however required to make that determination.

Some conditions will impact on a firefighter's ability to safely undertake duties for only a limited period, others for longer periods. In many instances occupational medical decisions are made around the optimal timing of return to full duties, to help ensure return to work is durable.

In a small number of cases, conditions will impact permanently on a firefighter's ability to safely undertake unrestricted duties. Some conditions have the potential to cause ongoing problems or progress if not adequately managed, both medically and in relation to work, however, with good medical and workplace management, e.g. periodic review, may be compatible with undertaking unrestricted duties with a reasonable margin of safety.

Medical conditions for notification

Table 1 is a guide for the medical conditions that may impact on firefighting duties. Treating doctors and firefighters should regard the guide as not including every possible condition, as a list cannot cover every possible scenario. Where there is uncertainty, firefighters and/or their doctors are encouraged to contact the FRNSW Health and Medical Team for further advice on (02) 9265 2800.

From the date of this policy, upon being diagnosed with, or otherwise becoming aware of having, a Notifiable Medical Condition, as listed in Table 1, a firefighter must, as soon as possible, notify the FRNSW Health and Safety Branch, by completing the *Medical Condition*

Notification Form (Appendix B). This obligation arises regardless of whether or not the firefighter is on leave, or of the type of leave being taken.

Table 1: Medical conditions that may impact firefighting.

<p>Cardiovascular system</p> <ul style="list-style-type: none"> ▪ Symptoms of chest pain, shortness of breath, palpitations, syncope ▪ Coronary heart disease: angina, heart attack, stent, bypass surgery ▪ Heart valve disease or valve surgery ▪ Abnormal heart rhythms. Examples include but are not limited to atrial fibrillation (AF), atrial flutter, ventricular tachycardia (VT) ▪ Cardiomyopathy, heart failure ▪ Pacemaker ▪ Cardiac arrest ▪ Automatic internal cardiac defibrillator ▪ Thoracic or abdominal aortic aneurysm (AAA), treated (including surgery) or untreated ▪ Peripheral vascular disease (e.g. affecting blood supply to legs/feet), including treatments such as stents and bypass ▪ Confirmed or suspected stroke, mini stroke (TIA) ▪ Deep venous thrombosis (DVT), pulmonary embolus (PE): leg or lung blood clots ▪ The use of anti-coagulation (blood thinning) medication; examples include but are not limited to warfarin, apixaban, Clexane <p>Respiratory system</p> <ul style="list-style-type: none"> ▪ Asthma, emphysema ▪ Pneumothorax (collapsed lung) ▪ Untreated/not yet stable severe sleep apnoea <p>Neurological and balancing systems</p> <ul style="list-style-type: none"> ▪ Symptoms of loss of consciousness, cognitive decline ▪ Confirmed or suspected stroke, mini stroke (TIA), brain haemorrhage, aneurysm ▪ Epilepsy, seizures of any kind ▪ Degenerative conditions. Examples include multiple sclerosis, motor neurone disease, Huntington's disease, Parkinson's disease ▪ Brain tumour – cancerous and non-cancerous (e.g. pituitary adenoma) ▪ Dementia ▪ Peripheral neuropathy ▪ Neurological deficit/impairment from any cause ▪ Vertigo, Meniere's disease <p>Syncope/blackouts</p> <ul style="list-style-type: none"> ▪ Loss of consciousness for any reason <p>Endocrine system</p> <ul style="list-style-type: none"> ▪ Diabetes ▪ Other endocrine conditions. Examples include uncontrolled hyperthyroidism, adrenal crisis <p>Vision</p> <ul style="list-style-type: none"> ▪ Significant eye injury e.g. retinal detachment ▪ Loss of vision ▪ A condition requiring eye surgery 	<p>Ear, nose, throat</p> <ul style="list-style-type: none"> ▪ ear, nose or throat surgery <p>Orthopaedic conditions</p> <ul style="list-style-type: none"> ▪ Spine conditions involving nerve roots or spinal cord and/or surgery ▪ Shoulder dislocation ▪ Knee instability. Examples include ruptured anterior cruciate ligament or other knee ligaments; patella (kneecap) dislocation ▪ Achilles tendon rupture ▪ A condition requiring joint replacement surgery; examples include but are not limited to knee, hip, shoulder ▪ Fractures/broken bones ▪ A condition requiring orthopaedic surgery. <p>Mental health</p> <ul style="list-style-type: none"> ▪ Depression or anxiety disorders ▪ Bipolar affective disorder ▪ Post-traumatic stress disorder symptoms ▪ Psychosis of any cause, including schizophrenia ▪ Alcohol and other drug use disorder <p>Cancer</p> <ul style="list-style-type: none"> ▪ A condition requiring cancer treatment e.g. chemotherapy, immune treatment, surgery <p>Haematological /blood system</p> <ul style="list-style-type: none"> ▪ Anaemia ▪ Leukaemia, lymphoma, other blood cancers ▪ Disorders leading to increased or decreased clotting <p>Bowel, kidney and pelvic</p> <ul style="list-style-type: none"> ▪ Kidney impairment/failure, dialysis, transplant ▪ A condition requiring major abdominal or pelvic surgery <p>Other work</p> <ul style="list-style-type: none"> ▪ Any health condition impacting on ability to undertake other employment outside of FRSNW, including where this requires leave (including sick leave, worker's compensation) or suitable duties, in that employment. <p>Medication</p> <p>Conditions requiring:</p> <ul style="list-style-type: none"> ▪ Continued (even if intermittent) use of medication that can induce drowsiness or adversely affect normal physical or mental functions e.g. benzodiazepines and other sedatives, opiates or other pain medications (e.g. morphine, codeine) ▪ Insulin ▪ Long term oral corticosteroid e.g. prednisone ▪ Antipsychotic medication including atypical antipsychotics e.g. Seroquel
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Appendix B

Medical Condition Notification Form

In accordance with the Medical Condition Notification Policy, firefighters are required to advise FRNSW of a Notifiable Medical Condition, as per the principles and table in [Appendix A link](#) - Information Sheet: Fire and Rescue NSW Medical Condition Notification Policy. A failure to notify a Notifiable Medical Condition as required may result in referral to an independent specialist to advise on fitness for duty and/or consideration of disciplinary action.

This health information is collected to fulfil FRNSW's obligations under the Work Health & Safety Act.

The information contained in this form, and any related health information obtained as part of the assessment process, will be used by the FRNSW Health and Safety Branch and Health and Medical Team to assess your medical fitness for duty, and to recommend any workplace accommodations that may be necessary.

Health information will only be used or disclosed as relevant, for the purpose for which it was collected, or as required, authorised, or implied by law. The following purposes are considered relevant for the use or disclosure of health information relating to a Notifiable Medical Condition:

- Absence management
- Workers' compensation management (including claims, case management and return to work programs)
- Assessing Fitness for Duty/Fitness to Continue
- Assessing Death and Disability entitlements
- Responding to Coronial inquiries/inquests, and
- Implementation of this policy.

Your health information may be disclosed to your treating practitioner/s if you consent, or to an independent treating specialist if this is necessary to advise on your fitness for duty.

You have the right to seek access to, or correction of, the health information and any other personal information that the FRNSW Health and Safety Branch hold about you. To request access or correction, please contact Health & Safety Branch on 02 9265 2800

If you have any questions or concerns about this form, or about the Medical Condition Notification Policy, please contact Health & Safety Branch on 02 9265 2800 or healthandsafety@fire.nsw.gov.au

Please complete the section below and attach any supporting medical documentation you have.



Medical Condition Notification Form

I, _____ hereby advise the Health and Safety Branch of Fire and Rescue New South Wales (FRNSW)
(name)

that I have a Notifiable Medical Condition. The condition is _____

I understand that upon notification, FRNSW will take a risk-based approach in assessing my medical fitness for duty and may contact me as soon as reasonably practicable to discuss follow up actions. I understand that following assessment, advice will be provided to my Command in relation to my medical fitness for duty, and any recommended workplace accommodations.

Firefighter Signature _____ Date _____

Firefighter details	
Name:	Date of Birth:
Employee Number:	Phone number:
Substantive position:	Email:
Doctor's details	
Name:	Phone number:
Address:	Specialty:
Leave required for illness or injury	Days

Please send this form and any accompanying medical certificate to the Health and Safety Branch via email to healthandsafety@fire.nsw.gov.au or via fax to 02 9265 2986