Injury Management Procedure

Section 1 - Purpose

(1) The purpose of this Procedure is to:

a. provide and maintain an Injury Management System for staff members injured at work in order to achieve the earliest possible, safe return to work; and
b. provide clear and comprehensive guidelines for all staff members of Charles Sturt University (the University) in order that they may comply with their legal responsibilities for Occupational Rehabilitation, as outlined in the Work Health and Safety Act 2011 (NSW) and the Workplace Injury Management and Workers Compensation Act 1998.

Scope

(2) This Procedure applies to all staff members of Charles Sturt University (the University).

Section 2 - Glossary

(3) For the purposes of this Procedure, the following definitions apply:

a. Aggravation - described as where a new incident causes further increase in symptoms of an existing injury or condition.
b. Alternate duties - a different range of duties, which may be with the same or different employer, or another work area within the University, generally temporary in nature, and which takes into account physical or psychological constraint, e.g. a job trial.
c. Consultation - to the sharing of information and exchange of views between the Manager, staff member, Injury Management Coordinator, treating doctor, physical therapist and/or their representative/s on injury management issues. It is the opportunity to contribute to decision making in a timely fashion to facilitate the smooth implementation and running of a workplace rehabilitation program.
d. Injury management -the process that comprises activities and procedures that are undertaken or established for the purpose of achieving a timely, safe and durable return to work for staff members following workplace injuries.
e. Work Health and Safety Coordinator (Injury Management Coordinator) - a WorkCover NSW Authority accredited designated individual based within the University's Work Health and Safety Unit (WHS Unit), who is responsible for ensuring the coordination of rehabilitation of staff who have a compensable injury, illness or disease.
f. Injury Management Consultant - a registered medical practitioner experienced in occupational injury and workplace based rehabilitation. Injury management consultants are facilitators who will assist insurers, employers, workers and treating doctors to find solutions to problems in complex Return to Work Plans or injury management.
g. Injury Management Plan - a plan for coordinating and managing those aspects of injury management that concern the treatment, rehabilitation and retraining (where indicated) of an injured staff member, for the purpose of achieving a timely, safe and durable return to work for the staff member;

This document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of the individual reading this document to always refer to the CSU Policy Library for the latest version.

h. Injury Management Program - a coordinated and managed program that integrates all aspects of injury management (including treating, rehabilitating, retraining, claims management and employment management practices) for the purpose of achieving optimum results in terms of timely, safe and durable return to work for injured staff members;
i. Insurer - a licensed Workers Compensation Insurer.
j. Nominated treating doctor - the treating doctor nominated from time to time by a staff member for the purpose of any injury management plan for the staff member.
k. Place of work - premises where persons work. This includes:
    i. any land, building or part of any building;
    ii. any vehicle, vessel or aircraft;
    iii. any installation on land, on the bed of any waters or floating on any waters; and
    iv. any tent or movable structure;
l. Recurrence - a situation where an injured worker experiences an unexpected return or increase in symptoms associated with a work-related injury;
m. Rehabilitation provider - a person or company accredited by SafeWork NSW to provide occupational rehabilitation services to injured staff.
n. Return to Work Plan - the individual return to work plan or program developed to the specific needs of the staff member in consultation with Manager(s), Injury Management Coordinator, staff member and, where requested by the staff member, their support person.
o. Selected duties - a staff member's usual duties modified to eliminate tasks that may aggravate the injury, illness or disability; duties selected from the staff member's usual range of duties, which are compatible with their physical and/or psychological constraints.
p. Significant injury - a workplace injury that is likely to result in the staff member being incapacitated for a continuous period of more than seven days, whether or not any of those days are work days and whether or not the incapacity is total or partial or a combination of both.
q. Suitable duties - duties for which an injured staff member is suited while recovering from an injury. Suitable duties may include alternate and/or selected duties. The University can give no undertaking to provide employment on an unlimited basis where a staff member is not able to return to their pre-injury duties but remains certified fit for limited work.
r. Workplace injury or illness - any injury or illness that arises in the course of, or in connection with, a staff member's work, and to which the work is the main contributing factor.

Section 3 - Procedures

Commitment

(4) The University is committed to the prevention of injury/illness through the provision of a safe working environment by successful management of workplace health, safety and welfare.

(5) The University's Injury Management Procedure includes the following aspects:

a. all Managers and Supervisors are committed to achieving the standards and timeframes set for the reporting of work injuries and processing of claims for compensation;
b. all reported work injuries are assessed for rehabilitation needs;
c. all relevant parties are to be involved in the formulation of suitable rehabilitation programs to facilitate a successful return to work for injured staff members;
d. all staff are to be educated regarding their rights and responsibilities in relation to claims for compensation and

their support in implementing return to work programs of injured colleagues; and

e. if an injury results in a disability, referral to the Diversity and Equity Unit may be made for consideration of an appropriate disability action plan, in accordance with the Disability and Work or Study Adjustment Policy.

(6) The Injury Management Procedure will be reviewed every three years. The review will involve assessing the effectiveness of the program by:

a. monitoring the return to work rate of injured staff;
b. monitoring the cost of rehabilitation;
c. reviewing the Workers Compensation statistics, including days lost and total number of claims; and
d. surveying Managers, Supervisors, staff members, Health and Safety Committees and Health and Safety Representatives on the implementation and operation of the Return to Work Program Policy and Injury Management Procedure.

Responsibilities

Senior Management

(7) Senior Management are responsible for:

a. providing safe systems at work, training and equipment to prevent injuries;
b. having in place an agreed Injury Management Procedure;
c. making available and developing individual Return to Work Plans in consultation with the injured staff member, Manager/Supervisor, Work Health and Safety Coordinator, treating doctor, rehabilitation provider as applicable, and where requested by the staff member, their union representative; and
d. providing electronic access to the Injury Management Procedure.

Managers and Supervisors

(8) Managers and Supervisors are responsible for:

a. promptly notifying the Work Health and Safety Unit of all work injuries in accordance with injury reporting procedures;
b. notifying the Work Health and Safety Coordinator of all relevant information that could affect the management of a work injury;
c. participating in the consultative process;
d. being actively involved in implementing, monitoring and ensuring compliance with the Return to Work Plans; and
e. providing appropriate ergonomic work equipment as recommended by the treating doctor.

Staff Members

(9) Staff are responsible for:

a. reporting the injury via the online Incident and Hazard Reporting System, within 24 hours, notifying their immediate Supervisor/Manager of any injury within 24 hours, and promptly providing ongoing medical advice/medical certificates and rehabilitation status;
b. providing completed documentation to their Manager/ Supervisor and/or the Work Health and Safety Unit promptly, as required;
c. taking reasonable care in the performance of work so as to prevent work-related injuries to self and others;

d. cooperating with the employer to ensure meeting Injury Management obligations imposed by the Workplace Injury Management and Workers Compensation Act 1998;
e. promptly reporting all absences relating to any compensable injury and providing supporting WorkCover NSW medical certificates;
f. cooperating and showing commitment towards the process of Injury Management;
g. undertaking all the activities agreed to as part of their Return to Work Plan; and
h. cooperating in reasonable workplace changes designed to assist rehabilitation of fellow staff members.

Colleagues / Fellow Staff Members

(10) Colleagues/fellow staff members are responsible for:

a. supporting the return to work of the injured person and creating a positive accepting environment;
b. not hindering aid to an injured staff member;
c. not interfering with or misusing equipment provided for the health, safety and welfare of the injured staff member; and
d. cooperating in reasonable workplace changes designed to assist rehabilitation of fellow staff members.

Work Health and Safety (WHS) Coordinator (Injury Management Coordinator)

(11) The Work Health and Safety Coordinator (Injury Management Coordinator) is responsible for:

a. ensuring completion and submission of relevant documentation for insurance purposes;
b. complying with all time frames for lodging of work injury documentation;
c. liaising and cooperating with the insurer and treating doctor/specialist to monitor progress of work injuries in relation to claims management, injury management and benefits payable;
d. providing information on the return to work process and associated workers compensation benefits to injured staff; and
e. creating and maintaining confidential case records in line with SafeWork NSW confidentiality and University guidelines.

Work Health and Safety Unit

(12) The Work Health and Safety Unit is responsible for:

a. establishing regular routine claims management review meetings with the insurer; and
b. liaising with senior management regarding the progress of relevant claims.

Nominated Treating Doctor

(13) The nominated treating doctor is responsible for managing the injured staff member's injury/illness and assisting them in their return to work.

Injury Management Consultant

(14) The Injury Management Consultant is responsible for helping to resolve problems that arise in relation to an injured staff member's return to work. The consultant will liaise with the nominated treating doctor, the employer and the injured staff member to determine their capacity for work.

Workers Compensation Insurer

(15) The Workers Compensation Insurer is responsible for ensuring the University's compliance with the insurer's

Injury Management Program.

Scope

(16) This Procedure covers the requirements associated with Injury Management from the time of injury through to effective return to pre-injury duties. The Procedure covers:

a. assessing the level of injury and restriction that may be posed to work duties;
b. developing and managing an appropriate return to work plan;
c. managing the compensation claims process; and
d. ensuring that the established Injury Management process is used by all staff who sustain an injury or suffer illness due to their work or work environment at the University.

Objectives

(17) The objectives of the University's Injury Management Program are to:

a. ensure all legislative requirements under the Workplace Injury Management and Workers Compensation Act 1998 are met;
b. ensure all staff are aware of their rights and responsibilities under the Workplace Injury Management and Workers Compensation Act 1998 (NSW); and
c. ensure effective claims management.

Immediate Action (within 24 hours)

(18) Compliance with the established Incident and Hazard Reporting System, is achieved by:

a. completing the online incident/hazard report on the Incident and Hazard Reporting System;
b. notifying the Manager/Supervisor; and
c. commencing an investigation of the accident/incident.

Process

(19) Reporting of accidents/incidents that result in an injury, with or without time lost, is essential. The established online Incident and Hazard Reporting System, is to be used by staff who are injured, re-injured or become ill in connection with their work at the University.

(20) The injured staff member must:

a. seek medical attention;
b. report the injury via the online Incident and Hazard Reporting System, within 24 hours, providing details of the incident, including contact details of the treating doctor where required;
c. complete a Workers Compensation Claim form, if requested to do so by the insurer. Not all claims require the completion of a workers compensation claim form. This form will be provided to the injured staff member by the insurer;
d. complete the University Consent form; and
e. provide all WorkCover medical certificates to the Injury Management Coordinator (with a copy to the Supervisor) within 24 hours of their issue.

(21) The Manager/Supervisor of the injured staff member must:

a. ascertain if the absence of a staff member is due to a work related injury/illness or personal sick leave;
b. ensure the necessary injury notification report is completed;
c. ensure work injuries are promptly reported to the online Incident and Hazard Reporting System. Significant injuries are to be reported within 24 hours and all other injuries within 48 hours;
d. investigate the accident/incident and put control measures in place to prevent recurrence;
e. promptly submit a separate written signed statement to the Work Health and Safety Coordinator where any comment is necessary as to the validity of a work injury claim;
f. assist the staff member to achieve a timely, safe and durable return to work;
g. liaise with the Work Health and Safety Coordinator to identify suitable duties if required; and
h. report to the Work Health and Safety Coordinator any difficulties that the staff member may have in performing their suitable duties.

(22) The Work Health and Safety Coordinator (Injury Management Coordinator) must:

a. ensure that the Employers Report of Injury to the insurer is fully completed. This may involve liaison with the Manager/Supervisor to gather further information;
b. contact the treating doctor within three days of the report of injury to identify early Injury Management processes;
c. ensure that all necessary work injury documents are lodged with the insurer within 48 hours of receipt;
d. maintain an Injury Register;
e. advise and provide support to injured staff members, Managers/Supervisors and all relevant parties regarding the Workplace Injury Management and Workers Compensation processes;
f. implement Return to Work Plans in accordance with work injury legislation;
g. monitor staff on Return to Work Plans as per medical/rehabilitation review requirements;
h. where an injury results in a disability, refer as necessary to the Diversity and Equity Unit for consideration of an appropriate disability action plan, in accordance with the Disability and Work or Study Adjustment Policy;
i. arrange interpreters as required; and
j. provide education, training and support.

Payment of Wages

(23) Until the claim has been assessed by the insurer, the staff member will be paid against their available personal leave, annual leave or long service leave, as requested by the staff member. The staff member must complete a leave application form in order to authorise the utilisation of available leave, stating "please use my personal leave/annual leave/long service leave whilst the workers compensation claim is pending".

(24) If there are no leave credits available, then the staff member will not receive wages from either the University or insurer unless the claim is accepted.

(25) If the claim is accepted, then the leave used will be re-credited to the staff member's leave. Any wages owed to the staff member will be paid. The insurer will send a cheque to the staff member's home address for all medical accounts that the staff member has paid.

(26) If a statutory rate of workers compensation becomes payable to a staff member, the University may arrange for the insurer to take over direct payments of ongoing benefits until the staff member is deemed fit to return to work at the University.

(27) If the claim is not accepted (disputed), leave will not be reimbursed. All accounts will be returned to the staff member for payment. The insurer will send the staff member a letter together with information explaining the staff member's right to request conciliation with SafeWork NSW.

Medical Appointments

(28) Legislation states that an injured staff member may be required to attend a medical examination(s) conducted by a doctor chosen by the University and/or the insurer. The purpose of these examinations is to ensure that the staff member is receiving appropriate medical treatment and to facilitate a prompt return to work.

(29) If a staff member refuses to attend a medical examination, the legislation dictates that compensation payments may be suspended until an examination takes place.

Attending Medical Appointments during Working Hours

(30) A staff member, working full time hours, may be entitled to attend medical/treatment appointments for work-related injuries/illnesses during work time. Appointments are to be made either at the beginning or towards the end of the shift. If disruption is unavoidable, then the staff member must discuss this with their Manager/Supervisor prior to appointments being made.

(31) Staff undergoing rehabilitation on reduced normal hours are expected to make appointments outside these reduced hours. If this is not possible, then the staff member must discuss this with their Manager/Supervisor prior to appointments being made.

(32) Staff must provide a certificate of attendance for all medical appointments/treatment, including physiotherapy, in order to receive pay for time lost.

(33) The insurer will pay for reasonable time to attend medical appointments. The Work Health and Safety Unit may be contacted if clarification is required.

Recurrence or Aggravation of Injury

(34) A recurrence or aggravation claim is not automatically accepted. The insurer will reassess the claim.

Status and Details

Status	Historic
Effective Date	1st September 2016
Review Date	1st May 2019
Approval Authority	Executive Director, Human Resources
Approval Date	8th August 2016
Expiry Date	19th December 2023
Unit Head	Frank Tamsitt Executive Director, Safety, Security and Wellbeing
Author	Melissa Lombe
Enquiries Contact	Division of Safety, Security and Wellbeing