Injury Management Procedure

Policy Code: HR1462

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Purpose

To outline the procedure to be followed in implementing the University's Injury Management Policy.

To outline the roles and responsibilities of the University and its staff members with regard to the management of work-related injuries and return to work processes.

Scope

This procedure applies to all staff members employed by the University.

Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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</thead>
<tbody>
<tr>
<td>Alternative Employment/Alternative Workplace</td>
<td>Employment that is different from the staff member’s usual pre-injury position, as detailed in their position description. In certain circumstances this may mean the staff member is placed in an alternative School/Centre/Institute/Directorate where the suitable duties are available.</td>
</tr>
<tr>
<td>Compensation Entitlements</td>
<td>Refers to payment of wages and/or medical or other expenses relating to an accepted WorkCover claim.</td>
</tr>
<tr>
<td>Current work capacity</td>
<td>In relation to a staff member, means a present inability arising from a work-related injury such that the staff member is not able to return to their pre-injury employment but is able to return to work in suitable employment.</td>
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<tr>
<td>Term</td>
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<tr>
<td><strong>Employment Obligation Period</strong></td>
<td>The duration of the University’s obligation to provide Suitable or Pre-Injury employment to an injured Staff Member.</td>
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<tr>
<td></td>
<td>The Employment Obligation continues for 52 weeks, commencing from the date a WorkSafe Certificate of Capacity or claim for weekly payments is received (which ever is earlier). This period may not be continuous as it only takes into account those periods where the Staff Member has an incapacity for work; that is, they cannot do their full pre-injury duties and hours.</td>
</tr>
<tr>
<td><strong>Insurer</strong></td>
<td>The Insurer is an agent appointed by WorkSafe Victoria.</td>
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<tr>
<td></td>
<td>The Insurer is authorised by WorkSafe Victoria to:</td>
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<tr>
<td></td>
<td>• pay benefits to injured workers;</td>
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<tr>
<td></td>
<td>• collect premiums;</td>
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<tr>
<td></td>
<td>• manage compensation claims; and</td>
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<tr>
<td></td>
<td>• provide return to work and risk management advice;</td>
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<tr>
<td></td>
<td>in accordance with the Accident Compensation Act 1985 and associated legislation and regulations.</td>
</tr>
<tr>
<td><strong>Medical Approval</strong></td>
<td>Medical approval refers to a doctor’s agreement that the suitable duties offered are within the staff members current work capacity and should not cause harm to the injured/ill staff member.</td>
</tr>
<tr>
<td></td>
<td>Approval from an independent medical examiner appointed by the University’s Insurer may also be used where appropriate.</td>
</tr>
<tr>
<td><strong>Medical Restrictions</strong></td>
<td>Directions provided by a doctor to advise the University and the injured/ill staff member regarding physical and/or psychological limits to be put in place to assist with recovery from a work-related injury/illness.</td>
</tr>
<tr>
<td></td>
<td>Medical Restrictions may include but are not limited to the number of hours to be worked, lifting capacity or preventing work in certain areas of the University.</td>
</tr>
<tr>
<td><strong>Modified Duties</strong></td>
<td>Duties that a Staff Member undertakes as part of their usual employment that have been modified or restricted to take into account the Staff Members current medical condition, as detailed on a WorkSafe Certificate of Capacity.</td>
</tr>
<tr>
<td><strong>Occupational Rehabilitation Program</strong></td>
<td>A documented process to assist injured/ill staff members to return to work from a work-related illness or injury.</td>
</tr>
<tr>
<td><strong>Offer of Suitable Employment (OSE)</strong></td>
<td>A written offer detailing the duties offered and hours of work for an injured staff member who is able to return to work.</td>
</tr>
<tr>
<td><strong>Personal Illness or Injury</strong></td>
<td>An injury, illness or disease that is not related to employment. A medical certificate(s) may be submitted.</td>
</tr>
<tr>
<td><strong>Pre-Injury Duties</strong></td>
<td>Duties undertaken by a staff member, as per their position description. Duties undertaken prior to a work-related injury occurring.</td>
</tr>
<tr>
<td><strong>Productive Duties</strong></td>
<td>Productive Duties are any suitable duties performed by an injured staff member that provide meaningful employment and contribute to the operation of the School/Centre/Institute/Directorate.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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<tr>
<td>Rehabilitation Provider</td>
<td>An external organisation approved by WorkSafe Victoria that provides independent support to injured workers and their employer by facilitating the injury management and return to work process.</td>
</tr>
<tr>
<td>Return to Work Plan (RTW)</td>
<td>A written plan detailing how the University will assist staff members stay at work/return to work while recovering from a work-related injury or illness. Where possible, return to work plans will be developed for injured/ill staff members within the staff members existing School/Centre/Institute/Directorate. If it is not possible for a staff member to return to their existing School/Centre/Institute/Directorate, the University will consider alternative workplaces wherever possible.</td>
</tr>
<tr>
<td>Scheduled Fee</td>
<td>Payments for any medical accounts, travel or other related expenses will be at the scheduled fee as directed by WorkSafe Victoria.</td>
</tr>
<tr>
<td>Staff Members</td>
<td>Any employees of the University. Any person who holds a current contract of employment with the University.</td>
</tr>
<tr>
<td>Suitable Employment</td>
<td>Suitable employment is work that is suited to the Staff Members medical condition, capacity for work, skills and experience. It is work the injured staff member can do without the risk of further injury. The aim is to support the injured staff member so they can remain at or return to work while they recover from their injury and return to their normal work when possible.</td>
</tr>
<tr>
<td>Supervisor</td>
<td>Any Head of School, Head of Department, Director, Manager or Supervisor who has the responsibility for the management of staff.</td>
</tr>
<tr>
<td>WorkCover Claim</td>
<td>If a staff member has a work-related injury or illness, they may be able to receive compensation from WorkSafe Victoria. To do this they must lodge a Worker’s Injury Claim Form with the University’s Coordinator, Workplace Support.</td>
</tr>
<tr>
<td>Work Related Injury</td>
<td>Any injury, illness or disease where employment is a significant contributing factor as defined by the Accident Compensation Act 1985.</td>
</tr>
<tr>
<td>WorkSafe Victoria</td>
<td>Statutory authority set up by the Victorian Government to oversee workplace safety, care of injured workers and to provide insurance protection for employers and workers.</td>
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**Actions**

**This Section Outlines the Steps Taken in the Injury Management Process**

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
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<tbody>
<tr>
<td>Step 1</td>
<td>Injury reported by staff member - time off work and/or medical treatment received for injury. Refer to Incident and Emergency Management Procedure for further detail.</td>
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<tr>
<td>Step 2</td>
<td>Staff member advises their Supervisor of their capacity to work within 3 hours of the commencement of their usual working day or as soon as reasonably practicable.</td>
</tr>
<tr>
<td>Step 3</td>
<td>Supervisor contacts Co-ordinator, Workplace Support to advise of the injury as soon as they become aware an injury has occurred.</td>
</tr>
<tr>
<td>Step</td>
<td>Action</td>
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</table>
| Step 4 | The Co-ordinator, Workplace Support telephones or writes to the injured Staff Member to provide contact details and outline the University’s processes. The injured Staff Member is provided with a claim form if required.  
Written contact will be initiated if the Co-ordinator, Workplace Support is unsuccessful in establishing contact by telephone or telephoning may be deemed inappropriate. |
| Step 5 | Injury Report* and WorkCover Claim Form** are completed promptly by staff member. Assistance may be provided if the staff member is unable to complete the forms personally.  
** WorkCover paperwork is to be sent to the Co-ordinator, Workplace Support. |
| Step 6 | Co-ordinator, Workplace Support forwards the completed claim form and associated medical certificates within ten (10) days of receipt, to the insurer for recording or determination of liability.  
The Co-ordinator, Workplace Support confirms the receipt of the claim form to the Staff Member in writing. |
| Step 7 | Co-ordinator, Workplace Support begins a consultation process with the injured Staff Member, their Supervisor, treating health practitioners and Rehabilitation Provider (if appointed).  
The University will commence planning a staff members return to work, to the extent that it is reasonable to do so, as soon as:  
• the first WorkSafe Certificate of Capacity is received; or  
• when a Worker’s Injury Claim Form for weekly payments is received, or  
• are advised by our WorkSafe Agent that they have received either of these documents from a staff member.  
In initiating discussions regarding returning to work, the Co-ordinator, Workplace Support will make all reasonable efforts to consult with the parties involved.  
When initiating return to work discussions with the injured Staff Member, the Co-ordinator, Workplace Support will take into consideration the nature of the Staff Members injury or illness and begin consultation at an appropriate time. Advice on the whether or not it is appropriate to commence return to work discussions may be sought from the treating doctor prior to commencement.  
During the consultation process, the Staff member, Supervisor and Co-ordinator, Workplace Support will discuss potential medical restrictions and available return to work options that can be offered within those restrictions. These discussions can be done individually, however discussion as a group is the preferred method of consultation.  
The injured Staff Member may be assisted by a representative during any consultation.  
The injured Staff Member can request the participation of an approved Rehabilitation Provider at any time during the consultation process. |
| Step 8 | The Co-ordinator, Workplace Support will develop a Return to Work Plan based on the information gathered as part of the consultation process and provide this to the staff member, treating health practitioners, and supervisor for review and approval. The Return to Work Plan will detail identified suitable employment, medical restrictions and return to work goals. The Return to Work Plan must be signed by all parties to the agreement.  
A Return to Work Plan cannot commence without medical approval and the appropriate Certificate of Capacity being provided. |
<table>
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<tbody>
<tr>
<td></td>
<td>Any issues arising from the Return to Work process may be dealt with under the University's <a href="#">Return to Work Issue Resolution Procedure</a>.</td>
</tr>
<tr>
<td>Step 9</td>
<td>Co-ordinator, Workplace Support will monitor and update the Return to work plan in accordance with the Certificates of Capacity provided by the injured Staff Member. The Co-ordinator, Workplace Support will maintain contact with injured staff member, Supervisor, treating health practitioner(s) and Rehabilitation Provider and continue the consultation process as the Return to Work Plan progresses.</td>
</tr>
</tbody>
</table>
| Step 10 | The injured Staff Member completes Return to Work process and returns to pre-injury duties*. This is confirmed by providing a final Certificate of Capacity from the treating doctor which indicates the Staff Member is fit to return to normal duties.  

* If an injured staff member is unable to ever return to their pre-injury duties, the University will consider offering alternative employment at the University, within the staff member’s ongoing medical restrictions. Any alternative employment offered will be in accordance with the University’s operational requirements. Should no suitable alternative employment be available, the University will engage a Rehabilitation Provider to assist the staff member in finding alternative employment with another organisation. |

This Section Outlines the Responsibilities of All the Parties Required to be Involved in the Occupational Rehabilitation Program

**Co-ordinator, Workplace Support**

The Co-ordinator, Workplace Support is required to:

- manage, monitor and review the [Injury Management Policy](#) and Procedure;
- ensure that the confidentiality of information is maintained and appropriate disclosure authorities are obtained before releasing any information to third parties;
- develop sustainable working relationships with the relevant insurer case manager, supervisors, injured staff members, treating health practitioners, rehabilitation and other service providers;
- ensure staff members are aware of their rights and responsibilities in the event of a work related injury or illness;
- consult, to the extent that is reasonable, with the injured Staff Member, supervisors, treating doctors and rehabilitation providers in planning return to work options;
- provide injured Staff Members with clear, accurate and current details of their return to work arrangements;
- ensure staff members who are participating in return to work plans have suitable and productive duties that make a contribution to the University’s operations and are within their identified medical capacity;
- manage, monitor and review return to work plans and suitable duties in consultation with the injured staff member, their supervisor, treating health practitioner(s) and rehabilitation providers;
- participate in the Return to Work Issue Resolution Process should it be required;
- ensure compliance with legislative requirements in relation to employee compensation and return to work processes;
- ensure staff members receive compensation entitlements for a work related injury or illness;
- promptly process all paperwork relating to a worker’s compensation injury; and
- liaise with staff members who have a personal illness or injury and their supervisors, where appropriate, to facilitate their return to the workplace.
Supervisors are required to:

- ensure an injured staff member receives appropriate first aid or medical treatment;
- promptly advise the Co-ordinator, Workplace Support via telephone or email as soon as they become aware of any work-related injuries that require medical treatment and/or time off work;
- comply with the requirements of the Incident and Emergency Management Procedure;
- promptly forward any paperwork received (including a copy of the Injury Report) relating to a workplace injury to the Co-ordinator, Workplace Support;
- facilitate and/or implement changes as needed to provide a workplace that is safe and free of any risks to health and safety;
- facilitate the necessary advice and/or training to the staff members with regard to preventing work-related injuries;
- stay in contact with the injured staff member while they are away from the workplace;
- participate in return to work planning discussions with an injured staff member and the Co-ordinator, Workplace Support;
- participate in Return to Work Issue Resolution Processes should they be required;
- ensure that staff under their supervision observe University Polices and Procedures; and
- provide appropriate supervision to all staff members.

Injured Staff Members

Injured Staff are required to:

- report any workplace injuries/illnesses to their supervisor immediately or if immediate reporting is not possible as soon as reasonably practicable and within the requirement of the Incident and Emergency Management Procedure;
- advise their supervisor within three hours (3) of the commencement of their usual working day if they are unable to attend work due to a workplace injury/illness. If notification within the specified time period is not possible, notification should be made as soon as practicable;
- promptly complete all necessary paperwork relating to their workplace injury/illness;
- A Worker's Injury Claim Form must be completed and forwarded to the Co-ordinator, Workplace Support, when a staff member receives medical treatment and/or has time off work for a workplace injury/illness.
- provide ongoing WorkSafe Victoria approved medical certificates for the duration of the injury/illness;
- make reasonable efforts to return to work in Suitable or Pre-Injury Duties;
- make reasonable efforts to actively participate in return to work planning and any ongoing return to work discussions;
- discuss with their treating health practitioner any duties they will be able to complete while injured/ill;
- submit all medical accounts for work related injuries to the Co-ordinator, Workplace Support for payment;

Medical accounts relating to a workplace injury should not be paid for by the staff member.

Payment of any medical and travel expenses will only be made at the scheduled fee as specified by WorkSafe.

- abide by the doctor’s medical restrictions both at work and at home;
- actively participate and co-operate in assessment of your capacity to work, rehabilitation progress or future employment prospects;
• If unable to attend an assessment appointment, the staff member must contact the Insurer to request an alternative date. If a staff member unreasonably refuses to attend a medical examination arranged by the insurer, the insurer has the right to suspend access to compensation payments.

• make any medical appointments concerning their injury outside of work hours where possible. Where it is not possible to do so, provide their supervisors with reasonable notice of their absence from work prior to the absence occurring;

• regularly communicate with their Supervisor and/or the Co-ordinator, Workplace Support in relation to the status of their injury and their return to work program;

• make reasonable efforts to participate in a Return to Work Issue Resolution Process should it be required; and

• immediately advise their Supervisor or the Co-ordinator, Workplace Support if they have an aggravation or re-occurrence of their injury.

Responsibilities

The Co-ordinator, Workplace Support is responsible for managing, monitoring and reviewing the Injury Management Policy and Injury Management Procedure and to ensure injury and claims management comply with the requirements of the Accident Compensation Act 1985.

All Supervisors have a responsibility to participate in the return to work process, when it affects staff members in their School/Centre/Institute/Directorate.

Injured staff members have a responsibility to make reasonable efforts to return to work in Suitable or Pre-Injury Duties, to make reasonable efforts to participate and co-operate in return to work planning and to actively participate in assessments or other activities reasonably required by the Insurer under the Accident Compensation Act 1985.

Policy Base

• Injury Management Policy.

Associated Documents

• University of Ballarat Union Collective Agreement (UCA) 2010-2012, Academic and General Staff Employees.

• Victorian TAFE Teaching Staff Multi-Business Agreement (MBA) 2009.

• TAFE Teachers’ Conditions of Employment (Victoria) Award 2002

• Injury Management Procedure.

• Occupational Health and Safety Policy

• Occupational Health and Safety Incident Reporting Procedure.

• Hazard Management Policy

• Health and Safety Management Procedure

Forms.

• Injury Report Form (PDF 40.4kb)

• Workers Injury Claim Form (PDF 142.7kb)

Forms/Record Keeping.
### Implementation

The Injury Management Procedure is to be implemented throughout the University community via:

1. An Announcement Notice via FedNews website and on the ‘Recently Approved Documents’ page on the ‘Policies, Procedures and Forms @ the University’ website to alert the University-wide community of the approved Procedure.
3. Provision of electronic or hard copies of policy and procedure to injured staff members and supervisors.