

SESLHD PROCEDURE COVER SHEET



Health
South Eastern Sydney
Local Health District

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EXECUTIVE SPONSOR or EXECUTIVE CLINICAL SPONSOR	Director People and Culture
AUTHOR	Peggy Pollock Manager, Health Safety and Wellbeing
POSITION RESPONSIBLE FOR THE DOCUMENT	Manager, Health Safety and Wellbeing
KEY TERMS	Injury Management; Recovery at Work, return to work
SUMMARY	This District procedure facilitates the correct implementation of the NSW Ministry of Health Policy – PD2013_006 Injury Management and Return to Work and clarifies responsibilities and requirements to be met by staff in order to comply with the above Policy Directive.

COMPLIANCE WITH THIS DOCUMENT IS MANDATORY

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1. POLICY STATEMENT

South Eastern Sydney Local Health District (SESLHD) recognises its legal obligations and compliance requirements under [NSW Ministry of Health Policy – PD2013_006 Injury Management and Return to Work](#), [NSW Workers Compensation Act 1987 No 70](#) and [NSW Workplace Injury Management and Workers Compensation Act 1998 No 86](#) and is fully committed to providing effective injury management to all employees who have sustained a work related injury or illness.

2. BACKGROUND

The [NSW Workers Compensation Act 1987](#) and [NSW Workplace Injury Management and Workers Compensation Act 1998](#) set out the rights and responsibilities of Fund Managers, employers and employees in relation to workers compensation and injury management.

The purpose of this legislation is to ensure that when an employee sustains a work related injury or illness there is:

- Prompt and effective treatment of their injury/illness
- Medical and vocational rehabilitation
- Income support for injured employees and their dependents during incapacity, through weekly benefits
- Payment of reasonable medical treatment and other related expenses
- Benefits if injury or illness results in a permanent impairment or death
- Systems in place to support the early return to work of the employee through effective injury management and recovery at work plans and processes.

3. RESPONSIBILITIES

3.1 Injured Employees will:

- Receive any necessary First Aid / emergency treatment and obtain a NSW WorkCover Certificate of Capacity
- Inform his/her manager of injury as soon as possible
- Complete an Incident Information Management System (IIMS) report about the incident
- Submit a copy of the WorkCover Certificate of Capacity to the SESLHD Workers Compensation Claims Manager as quickly as possible
- Nominate a treating doctor who will agree to participate in the development of the Recovery at Work Plan
- Participate in and comply with the Recovery at Work Plan
- Authorise the treating doctor, health care professionals and rehabilitation providers to provide relevant information to the workers compensation Fund Manager and the

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Local Health District for purposes of developing and monitoring the Recovery at Work Plan

- Make all reasonable effort to recover at work, as soon as medically advised
- Accept the offer of suitable duties as long as the injured employee and their nominated treating doctor have been consulted and agree on the suitable duties
- Participate in an incident investigation or causal analysis interview to determine why the situation occurred, and how it can be prevented in the future.

3.2 Line Managers will:

- Ensure that Poster – [Our Commitment to Injury Management Statement](#) is displayed in the workplace
- Provide the injured employee with first aid treatment or transport to medical treatment
- Notify the SESLHD Workers Compensation Claims Manager of all injuries within 24 hours by completing an [Injury Notification Form](#) or by providing verbal information
- Complete an [Injury Notification Form](#) for any incident that results in an employee seeking medical treatment, and/or taking time off work because of a work injury and fax to the SESLHD workers compensation claims manager within 24 hours
- Provide assistance and information to the injured employee
- Provide suitable duties and any assistance to the injured employee that will help them to recover and return to work quickly
- Undertake an incident investigation with assistance from Health Safety and Wellbeing to determine why the situation occurred, impact on the organisation/ service, and how it can be prevented in the future. Comply with any identified actions to reduce or eliminate the likelihood of similar injuries in the future within the recommended timeframe.
- Ensure the incident, findings and recommendations are entered on the Incident Information Management System (IIMS) within required timeframes
- Provide information about the injured workers work history, training records, roster and relevant information.

3.3 Senior Managers/Service Managers will:

- Support and facilitate the provision of suitable duties and/or suitable employment for injured employees within their service
- Review cases of injured employees and assist line managers in managing more complex or long term return to work plans
- If necessary, participate in an incident investigation to determine why the situation occurred, impact on the organisation/ service, and how it can be prevented in the

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future. Ensure that managers comply with identified actions to reduce similar injury in the future, and that any contributing causal factors are addressed.

- Monitor the implementation of the recommended controls and escalate non-resolved issues as required.

3.4 Recovery at Work Coordinators will:

- Contact the injured employee with 48 hours following advice of the injury
- Conduct an initial interview regarding the injury and causal factors
- Initiate the rehabilitation process in accordance with the advice of the nominated treating doctor and coordinating suitable duties where required
- Liaise with stakeholders including injured employee, manager, health care professionals, union representatives, Workers Compensation Claims Manager, workers compensation Fund Manager and rehabilitation providers
- Provide information to ensure that the injured employee and the manager understand the injury management process
- Monitor and evaluate the effectiveness of rehabilitation programs
- Develop and monitor individual Recovery at Work plans in conjunction with the injured employee, manager and nominated treating doctor.

3.5 Work Health Safety Practitioners will:

- For physical injuries, facilitate the commencement of the investigation into the incident, and provide assistance to line and senior managers as required
- Assist the manager to develop appropriate controls and improvements to reduce the likelihood of the incident recurring
- Ensure the completed Incident Investigation report is forwarded to the Workers Compensation Claims Manager
- Note their involvement and review in IIMS.

3.6 Psychological Wellbeing Consultant will:

- For psychological injuries, lead the investigation and causal analysis into the incident
- Consult with the Workforce Advisory Services Consultant regarding industrial or workforce management issues relevant to the incident
- Assist the manager to develop appropriate controls and improvements to reduce the likelihood of the incident recurring
- Ensure the completed Incident Investigation report is forwarded to the Workers Compensation Claims Manager

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- Monitor the implementation of the recommended controls and escalate to Senior Management if not completed.

3.7 Workers Compensation Claims Managers will:

- Notify the workers compensation Fund Manager of a new claim within legislative requirements
- Maintain accurate and confidential workers compensation records/files
- Refer the injured employee to a Recovery at Work Coordinator and/or rehabilitation provider
- Liaise with stakeholders including injured employees, rehabilitation case manager, workers compensation Fund Manager, Workforce Transaction Services Unit, solicitors
- Ensure that the requirements of Workers Compensation legislation and SafeWork NSW are met in terms of reporting requirements, liability and procedures for workers compensation claims
- Provide information to employees regarding their entitlements under Workers Compensation legislation and workers compensation claim procedures
- Coordinate the information gathering as to the cause, type and extent of the injury.

3.8 Chief Executive and Tier 2 Managers will:

- Retain overall responsibility for ensuring that SESLHD has an Injury Management and Return to Work program and associated procedures that comply with [NSW Ministry of Health Policy – PD2013 006 Injury Management and Return to Work](#); and is consistent with the workers compensation Fund Manager's Injury Management Program.
- Not dismiss an injured employee within six months of their injury for the reason of the employee not being fit for employment.

4. PROCEDURE:

In addition to the above specific responsibilities for staff, SESLHD management will implement the [NSW Ministry of Health Policy – PD2013 006 Injury Management and Return to Work](#) as follows:

- Managers and employees are informed of their rights and responsibilities under the [NSW Workers Compensation Act 1987](#) and [Workplace Injury Management and Workers Compensation Act 1998](#); and the processes to follow in the event of a work related injury or illness
- A summary of the workers compensation legislation about giving notice of an injury and the making of a claim is displayed in all workplaces

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- The standards and timeframes set for the reporting of work injuries/illnesses and processing of claims for compensation are achieved
- Appropriate first aid is provided to treat work related injuries and illnesses in a timely manner
- The injured employee is contacted and fully informed of the workers compensation and recovery at work process
- The injury management and incident investigation process is commenced as soon as practicable following a work related injury/illness to enable an early and safe return to pre-injury employment
- Injured employees are returned to work as soon as they are medically fit to do so through the implementation of an individualised Recovery at Work Plan developed by the Recovery at Work Coordinator in collaboration with the Nominated Treating Doctor, the injured staff and the injured employee's manager
- The provision of suitable duties is an integral part of an injured employee's Recovery at Work Plan, consistent with medical advice, and is meaningful, productive and appropriate for the injured employee's physical and psychological condition
- Participation in an injury management program does not in itself prejudice or disadvantage an injured employee
- Effective processes are in place to resolve any disagreements about the return to work program, suitable duties or other related matters
- All injury management information is treated confidentially in accordance with NSW Health policy
- Processes are in place to consult with staff and, where applicable, unions to ensure that the return to work program operates as smoothly as possible.
- Processes are in place to continually monitor, evaluate and report on current performance of injury management practices; and continually strive to improve injury management performance.

5. DOCUMENTATION

- [SESLHD Form 007 – Injury Notification](#)
- [Information for Injured Workers Brochure](#)
- [If you get injured at work poster](#)
- Poster – [Our Commitment to Injury Management Statement](#)
- [Investigation forms – Physical and Psychological](#)

6. AUDIT

This process will be assessed through the:

- Ministry of Health Workers Compensation and Injury Management Audit.

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7. REFERENCES

- [NSW Ministry of Health Policy – PD2013_006 Injury Management and Return to Work](#)
- [NSW Ministry of Health Policy – PD2019_034 Incident Management Policy](#)
- [Work Health and Safety Act 2011](#)
- [NSW Ministry of Health Policy – PD2018_013 Work Health and Safety: Better Practice Procedures](#)
- [Workers Compensation Act 1987](#)
- [Workplace Injury Management and Workers Compensation Act 1998](#)

Internal References:

- [SESLHDPR/271 Work Health and Safety – Statement of Commitment](#)

8. REVISION AND APPROVAL HISTORY

Date	Revision No.	Author and Approval
April 2012	2	Terms amended by Dieter Schultejohann in consultation with SESLHD Workers Compensation Managers and Rehabilitation Case Managers
May 2012	3	Changes approved by Sharon Litchfield Director Workforce Services
June 2013	4	Amended to reflect updated Ministry of Health Policy
April 2015	5	Amendments to reflect minor changes to “Our Commitment to Injury Management” and update related document hyperlinks. Endorsed by Executive Sponsor
December 2016	6	Amendments to reflect the introduction of investigative actions to improve future performance, and the change in title from Rehabilitation Case Management and Return to Work Plan to Recovery at Work Coordinator and Recovery at Work Plan
March 2017	6	SESLHDPR\276 updated and published on SESLHD Policy webpage – minor review
August 2017	7	Document title changed – Catherine Johnson, WHS Consultant
November 2018	8	Links updated, change of title of “the insurer” to “the Fund Manager” – Peggy Pollock, Manager, Health Safety and Wellbeing
March 2019	8	No changes – approved by Executive Sponsor.
June 2020	9	Risk rating reduced to Medium Risk. Review date amended to November 2020 to align with Medium Risk rating. Executive Sponsor updated from Director Workforce Services to Director People and Culture. Approved by Executive Sponsor.