



Please note

This information is for guidance only and is not to be taken as an expression of the law. It should be read in conjunction with the *Workers Rehabilitation and Compensation Act 1988*, the *Workers Rehabilitation and Compensation Regulations 2021* and any other relevant legislation. To view, go to www.worksafe.tas.gov.au

This guide was produced by staff from WorkSafe Tasmania. We welcome your feedback on this guide. Send to: wstinfo@justice.tas.gov.au

Introduction

This guide introduces the concept of injury management: what it is and what makes it work. It encourages employers and workers to look beyond simply meeting their legislative obligations in injury management, and to consider the benefits of actively embracing the management of injuries within their workplace.

Returning an injured worker back to meaningful work needs more than just paper work and procedures. It relies on positive attitudes, supportive workplace relationships and friendships, and the active collaboration between employers, workers, medical practitioners and others.

This guide encompasses all these issues.

What is injury management?

Injury management is an integrated, systematic process of returning injured workers to a functioning lifestyle. It is highly dynamic and interpersonal in nature, and requires active collaboration and co-operation between all involved. It focuses on people, positive attitudes and supportive workplaces as much as it does on efficient processes.

Injury management encompasses those activities which directly affect an injured worker's recovery, including the management of:

- medical treatment
- rehabilitation
- returning to work
- the relationships between those involved.

Making injury management work

Accept responsibility and get involved

Many employers think injury management is simply a matter of lodging a workers compensation claim and taking a backseat while the insurer is left to take on the responsibility for managing the injured worker and their claim.

However this is far from the best approach. In most cases, the employer, not the insurer, has the greatest ability to positively shape the injury management process from start to finish.

In their day to day operations, employers maintain close and regular contact with their workers. As

a result, best-practice injury management aims to shift exclusive ownership of managing workplace injuries from external parties (such as insurers) to those who know the workplace and its workers best: the employer.

Employers who actively participate in managing workplace injuries understand that injury management is as much about running a successful business as it is about achieving the best possible return to work outcomes for their injured workers.

Workplace-based injury management benefits everyone. For injured workers their prospects of recovering and returning to their former lifestyle is maximised, while for employers experienced workers are retained, productivity is restored sooner, and claim costs are reduced.

Whether large or small

Effective injury management is not restricted to large-scale business. While smaller workplaces may have limited resources and consequently face particular challenges when it comes to managing workplace injuries, they can also offer many advantages.

For example, smaller workplaces can often provide their injured workers with more flexible and informal work arrangements. A shorter chain of command also fosters closer relationships by enabling injured workers to discuss their needs directly and often with those making the ultimate decisions.

Value workers' health and safety

Workplaces that are successful in injury management view prevention as the optimal strategy, and so integrate work health and safety into all aspects of their business.

A work health and safety program is the foundation for establishing a work's positive awareness and commitment to injury management. Good work health and safety programs not only set standards but establish a shared commitment to workers' health and safety that is evident from the top down.

Where employers and managers lead by example and strongly support health and safety programs, then supervisors and workers are likely to as well. This in turn makes managing injuries and gaining support for associated activities so much easier.

If you don't currently have a work health and safety program in place, you should be aware that they don't need to be complex or difficult, especially if you are a small workplace.

WorkSafe Tasmania has a number of practical resources so you can develop a work health and safety program.

You can find publications such as the *Safety Management Toolkit* at www.worksafe.tas.gov.au by searching for 'GB315'.

You can also get free safety advice and support from an experienced WorkSafe Advisor. To find out more, call 1300 366 322.

Start the injury management process as soon as possible

Report all injuries

Many workplaces, especially larger ones, will often introduce incentives for managers to 'reduce' the number of workplace injuries by getting their injured workers back to work as soon as possible. Although this may sound good in theory, in practice it's often problematic and can do more harm than good, resulting in under-reporting of injuries.

Workers usually know what motivates their workplace, and when a workplace is driven by outcomes such as statistics or costs rather than their health and safety, workers will never feel valued.

And report them without delay

However, ensuring that all injuries are reported is still not enough. Injuries need to be reported early, so both treatment and management of the injury can begin as soon as possible. This significantly improves the likelihood of the injured worker returning to meaningful work, and reduces the time needed to do so.

By encouraging all injuries to be reported (no matter how serious or minor at the time) and fostering a workplace where workers feel comfortable reporting injuries as soon as possible, employers show workers that their health and safety is valued.

As an employer, you should also make sure your workers are aware of your incident reporting and injury management processes. Consider telling them about these before they have an injury — for example, at inductions, training sessions and staff meetings.

Take a collaborative approach

Effective injury management relies on the co-operation of all involved, particularly the employer, injured worker and treating medical practitioner. When everyone understands their responsibilities, active and full participation in the injury management process is much easier to achieve.

Employers

To be effective when managing injuries in your workplace, it's important to be proactive in your approach by regularly communicating and consulting as appropriate.

For example, if you provide specific information about your workplace (such as tasks and equipment) to the treating medical practitioner, you'll give them the confidence to certify your injured worker fit for suitable duties. This inevitably achieves the best possible results for both your injured worker and your business.

You will also be better supported in the injury management process if you are seen to value and take on board the views of others, especially your injured worker, by providing them with regular opportunities to have a say in decisions affecting them.

Return to work co-ordinator

A return to work co-ordinator is usually workplace-based — someone already employed at the workplace. This gives them the advantage of knowing their workplace's various jobs, people and management systems, which translates into the best return to work outcomes for the injured worker. They provide the injured worker with support and assistance as they return to work.

Injured workers

If you have sustained an injury at work, actively participating in the injury management process and staying positive can play a huge part in your recovery.

Traditionally, staying at home until you had completely recovered was thought to be the best therapy. However, we now know that getting back to normal activity as soon as possible speeds up your recovery. It can also keep you and your family positive and motivated during what may be a stressful period. This is important so that you can return quickly to a functioning lifestyle both at work and at home.

If you are capable of some activity, consider all the return to work options made available to you, and give them a go, provided they are within the range of restrictions advised by your treating medical practitioner. By working together with your employer and treating medical practitioner, you'll be able to identify the types of work duties that best suit your recovery and make sure you're not putting yourself at risk of re-injury.

On the other hand, if you're unable to return to work, it's still important that you stay in regular contact with your employer and keep them up-to-date on your recovery.

Treating doctors

Ideally, the role of the treating medical practitioner should primarily be to provide diagnosis, treatment and guidance to the injured worker, as well as provide encouragement to ensure everyone remains focussed on what the injured worker can do.

Treating medical practitioners should also clearly communicate any specific work restrictions to the employer, which gives the employer greater flexibility in finding suitable duties for the injured worker over a range of available job tasks. Treating medical practitioners also continue to review the injured worker's duties and work capacity to ensure their return to work is safe and durable.

It is important to recognise that the role of a treating medical practitioner is not to act as a gatekeeper to return to work; decisions concerning an injured worker's capacity should never be made in isolation but rather in consultation with everyone involved.

Injury management co-ordinator

An injury management co-ordinator is appointed by the insurer or employer (usually only in large organisations) to co-ordinate and oversee the entire injury management process. They are usually only required in complex cases.

An injury management co-ordinator facilitates effective communication between workers, employers, medical practitioners and others by acting as a liaison or contact point. Some of their functions include co-ordinating rehabilitation, and investigating and organising re-training options.

Insurer

Insurers can help employers develop policies, programs and plans that are appropriate for each worker and employer, that facilitate effective injury management, and that help the injured worker go through their treatment to get back to work.

Workplace rehabilitation provider

A workplace rehabilitation provider is an organisation accredited by WorkSafe Tasmania to provide services such as initial workplace rehabilitation assessments, assessments of the functional capacity of an injured worker, advice about job modification and rehabilitation counselling.

Ultimately, everyone should strive for a partnership approach to managing injuries, where there is trust, support and an openness to regularly communicate and share information with one another.

Tools of the trade

Whether you are an employer or injured worker, as you move through the injury management process, you will be guided by:

Injury management programs

An injury management program is a program approved by the Board which outlines the method an insurer will apply to manage claims. Both employers and insurers are required to have an injury management program in place. Most employers will use their insurer's injury management program; however, some larger organisations may seek approval from their insurer to develop their own.

An injury management program consists of documented policies and procedures specific to key events in the claim and injury management process; for example, the process for reporting an injury and making a claim.

Injury management programs set out a clear direction on what to do and who should do it throughout the injury management process.

Injury management plans and return to work plans

Injury management plans and return to work plans co-ordinate and manage the treatment, rehabilitation and return to work of an injured worker.

Where a worker suffers an injury that results in a total or partial incapacity for more than 5 working days, the employer must prepare a return to work and/or injury management plan in accordance with the requirements set out in the employer's injury management program.

If an employer is using an insurer's injury management program, they should be aware of the requirements of that program. Further information should be sought from the relevant insurer.

Everyone, including the injured worker, should be involved in developing these plans.

Focus on the individual

Effective injury management is not a 'one size fits all' approach. It requires workplaces to be creative and flexible so they can handle unpredictability and meet the specific needs of injured workers.

The individual circumstances of the injured worker must be considered to ensure the injury management process is appropriate to them and their recovery, and that they are not simply being 'put through the motions'.

Consider what the worker can do

Depending on the degree of injury, and in order to keep the injury management process moving forward, it may be necessary to recognise that in some cases the injured worker cannot return to their pre-injury capacity.

However, whatever the injured worker's circumstance, it is important that goals are set for the injury management processes, and that positive attitudes are fostered by ensuring that the employer and injured worker focus on what they can do as opposed to what they can't do.

Working together to achieve these goals will greatly improve an injured worker's motivation as they not only know and understand where they are heading, but also that the challenges which lie ahead are realistic and achievable.

Look at the big picture

It's also important to recognise that an injured worker's recovery can be affected by psychological and social factors. For example, there may be underlying issues at the workplace (such as conflict with a co-worker) or at home (such as financial difficulties) that can cause a relatively minor injury to spiral out of control and result in a more serious secondary illness, such as stress or depression.

Addressing these factors as well as under taking physical/medical treatments will ensure a better recovery.

Provide meaningful work

In many instances, injured workers may not be able to perform their normal duties, but will have the capacity to undertake other suitable duties. These may either be:

- pre-injury work tasks that are somehow altered or restricted, or
- a completely new set of work tasks (perhaps even a different work area) compared to those performed before the injury.

Employers are responsible for identifying and providing an injured worker with suitable duties.

Employers should never thrust an injured worker into the first available set of suitable duties without careful consideration, as it may seriously affect their recovery.

Suitable duties that do not add value to a workplace or aren't meaningful to the worker will usually lead to dissatisfied and unmotivated injured workers; they can also cause co-workers to become disgruntled due to the perception that the injured worker is either not pulling their weight or being counterproductive.

Suitable duties must be carefully considered by both the employer and the injured worker, to make sure they meet any restrictions specified by the treating medical practitioner and are meaningful to both the injured worker and the workplace.

Support and care for injured workers

Both employers

Employer and injured worker relationships are at the forefront of injury management. It is essential that an employer is supportive and treats injured workers with care, concern and respect.

Staying in touch and seeing how your injured worker is doing, particularly when they are away from the workplace and recovering, can make a substantial difference to getting them back to work. Ongoing contact with the workplace, even if only attending social events in the initial stages of recovery, will also benefit the injured worker and should be encouraged whenever possible.

And co-workers

Support from co-workers also goes a long way to ensuring injured workers feel comfortable when returning to the workplace. Unfortunately, there is often a stigma associated with injured workers; they might be labelled lazy, or seen to be 'milking' the system. It is crucial that co-workers provide a supportive workplace environment, rather than alienating injured workers by being confrontational and/or judgemental.

Fostering a workplace culture where managers, supervisors and workers are supportive of injured workers and the injury management process will positively influence attitudes and behaviours towards workplace injuries. This in turn will set the expectation that in the event of a workplace injury, injured workers will be cared for and that, ultimately, they should be focusing on recovering and getting back to work as soon as possible.

A supportive workplace culture is key to making workplaces more enjoyable and somewhere that injured workers are motivated to get back to.