

Injury Management and Return to Work Procedure

1. Purpose

The College has an economic and social interest in ensuring that injured workers return to work safely and as soon as possible. The longer an injured worker must wait for assistance the less likely the assistance is to be effective.

2. Scope

The need to ensure that providers, persons with management or control, nominated supervisor, persons in day-to-day charge, teachers/early childhood teachers, educators, staff, students, volunteers, parents/guardians, children and others attending the programs and activities understands what to do in the event of an injury. ([Incident, Injury, Trauma and Illness Guideline](#)).

3. Responsibilities

Employees and the College need to work in consultation with each other to achieve the optimum result. This Injury Management and Return-to-Work procedure has been developed through consultation and agreement with College staff.

3.1 Geelong College's Responsibilities

The Geelong College will:

- i. display the WorkSafe Victoria [If you are injured at work poster](#) in the workplace
- ii. make information about return to work after injury available to all workers, after consulting with workers on how this should be done
- iii. ensure that the appointed Return-to-Work Coordinator (Risk and Compliance Manager) has an appropriate level of seniority and is competent to assist with return-to-work obligations
- iv. ensure that, where it becomes known that a worker is injured and they have an incapacity, their return to work is a planned process developed in consultation with the worker, representative (if any), their treating health practitioner (with consent) and any occupational rehabilitation providers
- v. provide reasonable workplace support, aids or modifications and options for suitable or pre-injury employment
- vi. provide suitable or pre-injury employment for up to 52 weeks if the injured worker has an incapacity for work and/or pre-injury or equivalent
- vii. not subject an injured worker to detriment by dismissing them, altering their position or otherwise treating a worker less favourably than other workers, or threatening to do so because of their injury
- viii. comply with workers' compensation requirements
- ix. comply with privacy and confidentiality requirements

3.2 The Injured Worker Responsibilities

If you are injured at work, you must:

- i. seek medical attention
- ii. notify Geelong College (usually through your direct supervisor) as soon as possible
- iii. complete an [Incident forms](#) recording your name, the date, and cause of the injury
- iv. sign the WorkSafe Certificate of Capacity, if one has been obtained via treating health practitioner
- v. nominate a treating health practitioner if you are off work as the result of a workplace injury
- vi. make reasonable efforts to actively participate and cooperate in planning your return to work
- vii. actively use (if required) an Occupational Rehabilitation Service and cooperate with them
- viii. make reasonable efforts to return to work in suitable employment or pre-injury employment in cooperation with the College and the insurer
- ix. if requested, actively participate and cooperate in any assessment by the insurer or Geelong College of your capacity to work, rehabilitation progress or future employment prospects
- x. if requested, actively participate and cooperate in an interview with the insurer
- xi. if you are receiving weekly workers' compensation payments, immediately notify the Insurer/Agent of your return to work and notify the College if you commence work with any other employer

As an injured worker who has made a claim for weekly payments you are entitled to:

- xii. your choice of a treating health practitioner
- xiii. the option to be represented, assisted and supported at any stage of the return-to-work process, including in the consultation process. You may choose anyone (except a legal practitioner) to perform this function
- xiv. the services of an occupational rehabilitation provider if it has been offered, a choice of three providers (where they are available)
- xv. suitable or pre-injury employment to be provided for up to 52 weeks following a work-related injury
- xvi. have your confidential information kept private
- xvii. the opportunity to have decisions regarding your workers' compensation claim reviewed

3.3 The Injured Worker's Supervisor

Key obligations of a supervisor include:

- i. attending to the injured worker as quickly as possible
- ii. assisting the injured worker to complete the Incident Notification Process
- iii. notifying the Return-to-Work Coordinator within 24 hours of the incident occurring
- iv. where appropriate and in consultation with the Return-to-Work Coordinator communicating with the injured worker before they return to work
- v. providing support and assisting with the injured worker's return to work including preparing the workplace and colleagues in consultation with the Return-to-Work Coordinator

3.4 The Return-to-Work Coordinator

Geelong College's Return-to-Work Coordinator (Risk and Compliance Manager) is responsible for implementing Geelong College's Return-to-Work Program, supporting individual workers as they recover at work, and assisting Geelong College to meet its obligations under workers' compensation legislation. The Return-to-Work Coordinator is a key link between the worker and their support team as they recover.

The Return-To-Work Coordinator's responsibilities are to assist injured workers, where safe and practicable, to remain at work while they recover or return to work as soon as possible if they require time away from work to recover.

This includes:

- i. taking steps to prevent a recurrence or aggravation of the injury
- ii. providing information on the return-to-work process and workers' compensation benefits to injured workers
- iii. liaising and/or consulting with the injured worker's health practitioner (subject to the consent of the worker), an occupational rehabilitation provider (if involved), the case manager from WorkSafe Victoria (the Insurer/Agent) and the worker's representative (if one has been chosen by the worker) to determine the injured worker's needs
- iv. in conjunction with the Insurer/Agent, coordinating and monitoring progress in treatment, rehabilitation services and return-to-work plans
- v. identifying options for appropriate suitable employment in conjunction with the worker, the worker's treating health practitioner and the Insurer/Agent considering reasonable workplace supports, aids and modifications
- vi. assisting the injured worker to return to work as soon as it is safe to do so
- vii. liaising and/or consulting with the injured worker and their manager or supervisor and documenting suitable employment and work restrictions so that all parties are informed and managing the return-to-work process
- viii. being the focal point for all contact relating to the injured worker
- ix. helping resolve any return-to-work-related issues
- x. maintaining confidential case records

3.5 Return-to-Work Coordinator's Seniority and Competencies

The Return-to-Work Coordinator has the relevant seniority, meaning that they are empowered to speak on behalf of and make decisions for Geelong College. The Return-to-Work Coordinator has sufficient seniority to assist with the following:

- i. planning the return-to-work program and return-to-work-related decisions
- ii. identifying and proposing suitable pre-injury employment
- iii. consulting with the parties involved in the return to work
- iv. acting as point of contact for the WorkSafe Return to Work Inspector
- v. dealing with any of the Return-to-Work Inspector's requests
- vi. liaising with any other people as required about return-to-work matters
- vii. participating in the resolution of return-to-work issues

The Return-to-Work Coordinator is competent and has the relevant knowledge, skill and experience in order to perform their role.

The relevant knowledge, skills or experience include:

- i. knowledge of Geelong College's return-to-work obligations under the Workplace Injury Rehabilitation and Compensation Act 2013 (Vic)

- ii. an understanding of the role of the Return-to-Work Coordinator
- iii. an understanding of the rights and obligations of injured workers
- iv. an understanding of how to plan workers' return to work
- v. an understanding of which people the employer is required to consult with during the return-to-work process and steps involved in this consultation
- vi. an ability to communicate with the diverse range of people involved in the return-to-work process
- vii. knowledge of where support, information and guidance are available
- viii. an understanding of the importance of maintaining confidentiality of a worker's private information
- ix. an understanding of the procedure to be used by the workplace when resolving a return-to-work issue
- x. an understanding of the functions of the Return-to-Work Inspectorate and their role in enforcing compliance with the Workplace Injury Rehabilitation and Compensation Act 2013 (Vic)
- xi. knowledge of the Victorian workers' compensation scheme
- xii. knowledge of the functions of workers in relation to return to work.

3.6 The Treating Health Practitioner

Any injured worker off work as a result of a workplace injury must nominate a treating health practitioner. While a registered medical practitioner must complete the initial Certificate of Capacity, subsequent Certificates may be completed by a medical practitioner, physiotherapist, chiropractor or osteopath.

A treating health practitioner:

- a. must provide a Certificate of Capacity
- b. is responsible for coordinating the worker's medical treatment in conjunction with the WorkSafe Victoria Agent/Insurer
- c. works with the Return-to-Work Coordinator and the Agent/Insurer in determining the worker's capacity to return to work and the type of duties/hours of work which may be suitable
- d. is authorised by the worker to provide information to the employer and Agent/Insurer relating to:
 - i. the nature of the injury
 - ii. the extent of incapacity
 - iii. treatment required
 - iv. any restrictions on employment

If the worker consents, the treating health practitioner will be consulted on an ongoing basis about the worker's return to work and the worker's capacity. This involves providing the relevant information to the health practitioner and giving them an opportunity to consider and give their views, which The College must consider. Specifically, and to the extent that it is reasonable to do so, the treating health practitioner must be consulted when:

- e. Geelong College is considering or proposing suitable or pre-injury employment options
- f. there is a change in the worker's capacity for work
- g. an occupational rehabilitation provider involved in the return-to-work process is undertaking an assessment or has provided a report
- h. the worker has provided additional information about their capacity
- i. the worker is reporting difficulty with current return-to-work arrangements

- j. a new medical report provides further information about the worker's capacity or restrictions
- k. the progress of the return to work is slowing or has stalled, and discussion of options may be valuable
- l. the worker has almost recovered, before progressing to full normal duties
- m. the worker is not adhering to the return-to-work arrangements
- n. circumstances at Geelong College have changed, impacting on the worker's return to work
- o. the return-to-work arrangements need to be modified

It may be appropriate to determine with the health practitioner the best way to communicate with them. This may include indirect communications via the worker, the Agent or an occupational rehabilitation provider.

3.7 WorkSafe Victoria Agent (The Insurer)

When notified of an injury, the Agent must:

- i. contact the worker, our Return-to-Work Coordinator and consult with the treating health practitioner to ensure that the worker receives the necessary assistance to recover and return to work
- ii. case manage the parties to ensure that the worker receives appropriate medical and allied health treatment, and that their return to work is achieved safely with the provision of suitable employment and any necessary support and aids
- iii. review, authorise and manage payments of weekly benefits and appropriate medical treatment
- iv. arrange for an occupational rehabilitation provider if appropriate
- v. provide information and guidance as appropriate to the Return-to-Work Coordinator on return-to-work planning
- vi. arrange for ongoing assessments of a worker's capacity

3.8 The Rehabilitation Provider

Accredited rehabilitation providers are organisations accredited to offer specialised services to help injured workers to return to work. Occupational rehabilitation providers are appointed by the WorkSafe Victoria Agent/Insurer. They work with the injured worker and treating health practitioners in managing the injury as well as the Return-to-Work Coordinator in the return-to-work process.

Their role includes:

- i. assessing the needs of the injured worker and the workplace requirements to develop a rehabilitation plan of action, listing the services needed to return the injured worker to work
- ii. helping to identify duties at work that are suitable to the injured worker's injury, identifying barriers preventing the injured worker's return to work, proposing strategies to eliminate them, and monitoring progress employing different health professionals where required, such as occupational therapists, physiotherapists, psychologists and rehabilitation counsellors.

4. Return-to-Work Planning and Suitable Employment

Our Commitment to Provide Suitable Employment

Geelong College is committed to providing suitable employment to facilitate an injured employee's return to work or their pre-injury work, or equivalent, if they have the capacity to do so.

If reasonable to do so, Geelong College will commence return-to-work planning for an injured worker from the time that the worker provides the College with an initial Certificate of Capacity or a Worker's Injury Claim Form in which weekly payments are claimed, or the Agent notifies Geelong College that they have received the Injury Claim, whichever is the earlier. When the worker has some capacity to work then Geelong College will provide suitable employment or pre-injury employment where this is reasonable.

a. Consultation with the Worker

Ongoing consultation with an injured worker on all aspects of returning to work is key to ensuring that:

- i. there is a clear understanding of obligations and expectations
- ii. relevant factors are taken into account by all parties
- iii. matters and needs that arise are addressed promptly
- iv. the worker's health and safety are protected

Consultation involves giving information to the worker in an appropriate format, then giving the worker a reasonable opportunity to consider and express their views, including raising questions, concerns and suggestions. The College will take those views into account by explaining how they have been addressed and/or explain the final decision and why it has been taken.

Consultation with the worker commences as soon as the College is notified that the employee has an incapacity to work due to a workplace injury.

The worker will be consulted when:

- i. considering or proposing suitable or pre-injury employment options
- ii. there is a change in the worker's capacity for work, for example, when the treating health practitioner certifies that the worker's capacity or restrictions have changed
- iii. an occupational rehabilitation provider involved in the worker's return-to-work process is undertaking an assessment or has provided a report
- iv. the worker has provided additional information
- v. the worker is reporting difficulty with the current return-to-work arrangement
- vi. a new medical report provides further information about the worker's capacity or restrictions
- vii. the worker is ready to resume their normal duties
- viii. the progress of the return to work is slowing or has stalled, to discuss options that may be available
- ix. the worker is not adhering to the return-to-work arrangements
- x. circumstances change at the College, impacting on the worker's return to work
- xi. the return-to-work arrangements need to be modified

Geelong College, usually through the Return-to-Work Coordinator, will consult directly with the worker. A worker may choose to be represented, supported and assisted during any consultation by another person, such as a colleague, union member or family member, however, legal practitioners may not be used in this capacity.

The timing and style of consultation will depend on the individual worker and the particular circumstances.

Where agreement cannot be reached through consultation, the worker is entitled to use Geelong College's return-to-work issue resolution procedure to resolve the issue.

b. What Should Be Included in Return-to-Work Planning?

Typically, planning a worker's return to work will include:

- i. obtaining information such as medical reports and Certificates of Capacity about the worker's capacity to work over a period of time
- ii. considering which workplace support, aids or modification would assist in the worker's return to work
- iii. options for suitable employment or pre-injury employment
- iv. consultation with the worker, the treating health practitioner (with the worker's consent), and an occupational rehabilitation provider (if used)
- v. providing information to the worker on their return-to-work arrangements
- vi. arrangements for monitoring the worker's progress with all relevant parties including the worker's supervisor, to identify any difficulties or issues with the current work arrangements and addressing issues.

The process will be reviewed whenever circumstances change or new information becomes available.

Records will be kept of planning, return-to-work arrangements, and records relating to the assessment of suitable employment options.

4.1 Return to Work – Mental Injuries

Planning return to work for a worker who has submitted a Worker's Injury Claim Form and a Certificate of Capacity which includes a mental injury involves discussion with the worker and any treating health practitioners about the issues that they had been experiencing at work. This may involve issues such as bullying, fatigue, stress, anxiety, depression, work design and work environment, which will need to be addressed when planning a return to work.

Workers with a mental injury can access early treatment and support while they await the outcome of their claim, under a WorkSafe provisional payments arrangement. Where a worker is entitled to provisional payments, WorkSafe can cover the reasonable cost of treatment for 13 weeks. Note that the "reasonable cost" may not be the full cost and the worker should check this with their healthcare provider.

4.2 Providing Suitable Employment or Pre-Injury Employment

Where reasonable to do so, Geelong College is required to provide to a worker who is injured and has had their workers' compensation claim accepted:

- a. suitable employment, while the worker has a current work capacity; or
- b. their pre-injury employment, while the worker no longer has an incapacity for work

This is usually for a period of up to 52 weeks after the worker has provided the first Certificate of Capacity. Suitable or pre-injury employment should be available to commence as soon as the worker's capacity allows.

4.2.1 In general, suitable employment should:

- a. consist of duties that have a relationship to the worker's pre-injury position and are as close as possible to their pre-injury employment, where that is reasonable
- b. adapt to accommodate increases in duties and hours as the worker recovers and increases their capacity for work

4.2.2 In assessing the suitability of employment, the following should be taken into account:

- a. the nature of the worker's incapacity and the details provided in medical information

- b. the nature of the worker's pre-injury employment and whether this can be tailored to accommodate their capacity to work
- c. the worker's age, education, skills and work experience
- d. where the worker lives
- e. the return-to-work planning for the worker
- f. any occupational rehabilitation services that are being, or have been, provided
- g. the nature of the workplace, such as the availability of suitable alternative work and the layout of the workplace
- h. the impact on the operations of the workplace and on other workers
- i. In deciding on suitable employment options for a worker, they should not be limited to the duties or roles currently available at the College or generally outside the College. In some circumstances this may also include training or vocational re-education.

4.2.3 Suitable employment may involve:

- a. parts of the job that the worker was doing before the injury
- b. the same job, but on reduced hours
- c. different duties altogether
- d. any reasonable workplace supports, aids or modifications to equipment, or methods of work that would assist the return to work
- e. duties at a different campus
- f. training opportunities
- g. a combination of some or all of the above

4.3 Confidentiality and Privacy

Where a worker has made a workers' compensation claim, the claim form contains the worker's consent for a medical service or hospital to provide information relating to the claim in response to a request from Geelong College, the Insurer/Agent, or the workers' compensation authority.

It is important that, when consulting and communicating with people other than the worker, only information essential to assisting the worker's return to work is communicated, such as when consulting with the worker's manager, supervisors and colleagues. Conversations about the worker's return to work should be conducted in private. The worker's health and medical information must be stored securely.

4.4 Returning Worker Not to Be Disadvantaged

The Geelong College is committed to ensuring that the injured worker will be not disadvantaged while participating in the process of return to work. All efforts will be made to resolve disagreements about Geelong College's Return-to-Work Program through discussions and in a spirit of co-operation.

4.5 Notification of Injuries and Initial Claim Management Procedures

When an injury occurs, each of the following parties have a legal obligation to make a notification:

- a. workers
- b. employers
- c. insurers

5. Where to get help

a. Our Return to Work Coordinator

Name: [Louise Snell](#) Phone: [03 5226 3105](#)

Email: Louise.Snell@tgc.vic.edu.au Postal Address: [PO BOX 5 GEELONG VIC 3220](#)

- b.** Our Authorised Agent: EML INSURANCE
Name: [EML Insurance](#) Phone: 03 7000 0700 Web: WWW.EML.COM.AU
Postal Address: [Level 6, 385 Bourke Street Melbourne VIC 3000](#)

- c.** WorkSafe
Phone: free call 1800 136 089 or (03) 9641 1444 Web: <https://www.google.com.au/>
Email: info@worksafe.vic.gov.au
Postal Address: WorkSafe, 222 Exhibition Street, Melbourne 3000