

Injury Management (For work related injury/illness)

IMPLEMENTATION

Aim

To prescribe the responsibilities and actions required for the management of work related injuries/illnesses incurred during University related activities to ensure the University meets the requirements of the Health, Safety and Wellbeing (HSW) Policy and the relevant sections of the <u>Return to Work Act 2014 (SA)</u> (RTW Act).

1 Objectives

- **1.1** To ensure that 100% of all employees with accepted workers compensation claims, will be supported and provided with duties which match their capacity, in consultation with the relevant stake-holders.
- **1.2** To ensure that all incidents/illnesses resulting in workers compensation claims have been investigated, in accordance with the <u>Incident Reporting and Investigation</u> HSW Handbook chapter, to reduce the incidence of work injuries,

except where:

- the incident relates to a psychological illness/injury; or
- the claim is retrospective and the activity is no longer conducted by University employees.

The investigation of the circumstances surrounding the excepted claims are managed by the <u>Injury</u> <u>Management Team</u> (Director HSW, Policy Communications and Injury Management Manager, Injury Management and Wellbeing Advisor and Claims Consultant) and the action taken will be recorded on the claim file and/or incident investigation report (as applicable) in consultation with the relevant employees.

2 Scope

2.1 Inclusions

This process includes arrangements for work-related injuries/illnesses incurred by University employees (full time, part-time and casual) and the employees of Controlled Entities. (Note - Controlled Entitles may also have additional policies/procedures for injury management relevant to their organisation which should be read in conjunction with this process.)

2.2 Exclusion

This process excludes arrangements for non-work related injuries/illness incurred by University employees (full time, part-time and casual) and the employees of Controlled Entities.

For further information on non-work related injury/illness please refer to the <u>Injury Management</u> (rehabilitation for non-work related injuries/illness) Information Sheet.

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3 Process: Claims management and administration

| Person Responsible | Actions |
|----------------------|---|
| 3.1 Injured employee | If an injury/illness is sustained at work: Seek medical treatment. Notify your immediate Supervisor of the incident/injury/illness before completing your work day/shift. |
| | <u>Note</u> In the event that you are unable to report to your Supervisor or complete an <u>incident report</u> in the <u>on-line system</u> (e.g. taken to hospital), then request that the person who arranged the ambulance/transport advise: your Supervisor (if known); or the Security Office on (831) 35444 if not known; and/or the <u>HSW Team</u> to ensure that there is timely follow-up and support provided to you. |
| | Follow the procedure in the HSW Handbook chapter Incident Reporting and Investigation Decide if you wish to lodge a Workers Compensation Claim. (To assist you, information can be obtained from the University's Injury Management and Wellbeing Advisor on (831) 35904, the Injury Management website or Return to Work SA (RTWSA) website.) |
| | If you don't wish to lodge a Workers Compensation Claim Complete the appropriate sick leave/leave forms to cover for lost time if applicable and submit any medical treatment accounts to your public/private health fund or make your own arrangements for payment. |
| | If you wish to lodge a Workers Compensation Claim Complete a <u>RTWSA Claim Form</u> or contact the <u>Injury</u> <u>Management and Wellbeing Advisor</u> on (831) 35904. Forward the completed RTWSA Claim Form and Work Capacity Certificate (WCC) provided to you by your treating doctor to the <u>Injury Management and Wellbeing Advisor</u>, C/- Human Resources Branch together with any medical treatment accounts. Please note: A claim cannot be determined unless a WCC is provided to support the claim. |
| | Meet with the <u>Injury Management and Wellbeing Advisor</u> as arranged, to discuss roles and responsibilities and the injury management process. (Information will be provided to you at this time.) Await formal notification from the University's Claims Manager as to whether your claim has been accepted/rejected. |
| | (Please note – On receipt of a claim, the Claims Manager may, in accordance with the <u>RTW Act</u> , undertake such investigations and enquiries as are necessary in order to achieve an evidence based decision with respect to the determination of the claim.) |
| | If requested you are required to: Provide additional information and/or attend any medical examination by an independent medical practitioner nominated by the Claims Manager, for the purpose of assisting to determine your claim. |
| | Continued |

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Person Responsible Actions If you are unfit for work 3.1 Injured employee (Continued) □ Notify your Supervisor as soon as possible. Follow the advice and restrictions (where applicable) of your doctor as outlined on the doctor's WCC. Inform your Supervisor and the Injury Management and Wellbeing Advisor of lost time and provide them with the relevant copy of your WCC to ensure that appropriate injury management strategies are put in place. On acceptance of your Workers Compensation Claim Provide ongoing WCCs for all periods of lost time from work or incapacity to the Injury Management and Wellbeing Advisor until you receive a clearance certificate from your doctor. Forward any medical costs associated with your claim to the Injury Management and Wellbeing Advisor to arrange for payment. Refer to the Information on the Injury Management website for more information on workers compensation including <u>'Injury</u> Management - Work Related Injuries/Illness' Information Sheet. If your claim is rejected: Refer to the determination letter which will include the reason for the rejection. Contact the University's Claims Consultant or the Injury Management and Wellbeing Advisor to gain a better understanding as to why the claim has been rejected (if required); Refer to the 'Injury Management - Work Related Injuries/Illness' Information Sheet for further options (if required); Complete a leave form in SSO to account for lost time and personally manage any costs related to your injury/illness. 3.2 Supervisor Notify the Injury Management and Wellbeing Advisor (831) 35904 (of the injured worker) if an employee reports an injury which may result in a Workers Compensation Claim. If the injured employee has notified that they are unfit for work Immediately inform the Injury Management and Wellbeing Advisor (831) 35904 who will contact the injured employee and provide them with support and advice. 3.3 **Injury Management and** On receipt of a Workers Compensation claim: Wellbeing Advisor Check that the employee has: completed a "RTWSA Claim Form"; and provided a WCC to support the claim. If either form is not received then contact the employee to obtain the missing form. Obtain relevant information from, Human Resources Branch including average weekly earnings (where applicable), position and job status. Continued

3 Process: Claims management and administration (Continued)

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| | Process: Claims management and administration (Continued) | | | | |
|-----|---|--|--|--|--|
| | Person Responsible | Actions | | | |
| 3.3 | Injury Management and Wellbeing Advisor (Continued) | Contact the injured employee and their Supervisor and provide them with information on their rights and responsibilities. Forward the Claim form and WCC to the <u>Claims Consultant</u>. Continue to forward claims documentation to the <u>Claims</u> <u>Consultant</u> as soon as possible (e.g. ongoing WCCs, medical treatment accounts). Ensure confidentiality of the information/documentation relating to the claim. Follow the procedures in the HSW Injury Management Operations Manual. | | | |
| 3.4 | Claims Manager (Director, HSW) in consultation with the Injury Management team (Policy Communications and Injury Management Manager, Injury Management and Wellbeing Advisor and Claims Consultant) | On receipt of a new Workers Compensation Claim Determine if the claim is compensable under the <u>RTW Act</u>. In determination of the claim, consideration will be given to the following criteria: Has the claim been made within the time limits required? (i.e. within 6 months from the date of injury.) Is the person an employee? Is the injury caused by a work-related trauma? Was the person injured out of, or in the course of, employment? Is the employment a significant contributing factor to the injury? Is the injury new, an aggravation of previous injury or a continuation of existing injury? Review evidence and undertake further investigation/enquiry, as necessary, to achieve an evidenced based decision. Accept or reject the claim within 10 business days of receipt of the claim documentation. Where the claim has not been determined (i.e. accepted or rejected) within 10 business days after the date of receipt of the claim: Contact the employee in writing advising the reason for the delay. Offer interim benefits in accordance with the legislation. Conduct further investigation to achieve a decision as expeditiously as reasonably practicable. Where the claim meets the requirements under the RTW Act and is accepted Authorise and arrange for compensation of medical expenses within the approved scales from RTWSA. Determine the injured employee's entitlement to weekly payments (Income Maintenance) in accordance with the RTW Act Section 5. Issue a letter to the employee advising of the amount of payment (i.e. notional weekly earnings) applicable for the entitlement period. Follow the business processes outlined in the HSW Injury Management Operations Manual. | | | |

3 Process: Claims management and administration (Continued)

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3 Process: Claims management and administration (Continued)

| Persor | n Responsible | Actions |
|---------------------------------------|--|---|
| 3.4 Claims Manager (Director, HSW) | | If you consider that the claim is not work related:Discuss the findings and the determination. |
| Injury | isultation with the Management Team inued) | If mutually agreed Arrange the most appropriate contact with the injured employee to advise the reasons for the rejection and provide them with information in relation to the dispute process. Forward a letter to the employee to confirm that the claim has been rejected. Include the basis for the decision and information should they wish to dispute the determination. |
| | | Ongoing management (of accepted claims and claims undergoing assessment) Liaise with treating medical experts. Refer employees for medical examinations (where required). Meet on a weekly basis, or as agreed, to discuss injury management status and identify measures to provide adequate and timely services based on assessed needs. Review, record and authorise benefits in conjunction with and subject to relevant approvals being obtained. Ensure the income maintenance step-downs are met as follows: 0 - 52 weeks: 100% of Average Weekly Earnings (AWE) 53 - 104 weeks: 80% of AWE (After 104 weeks a worker's entitlement to income support ceases unless they have been assessed as <u>seriously injured</u> (see definitions). Determine reimbursements of entitlements, lump sum payments and legal services in accordance with the <u>RTW Act.</u> Continue to manage claims in accordance with the HSW Injury Management Operations Manual and the <u>RTW Act</u> until the claim is closed. |

4 Process: Rehabilitation - if required

| Person Responsible | Actions |
|----------------------|--|
| 4.1 Injured employee | The rehabilitation process will commence as soon as medically appropriate in accordance with the doctor's WCC and the <u>RTW Act</u>. You are required to: accept the provision of safe and suitable employment where duties have been offered by the University and for which you are medically certified to perform; comply with the medical constrains as stated by the treating medical practitioner on the WCC; actively participate in the planning and implementation of a Recovery and Return to Work (RRTW) plan (in accordance with the <u>RTW Act</u>) e.g. attend RRTW meetings in consultation with the Injury Management and Wellbeing Advisor external rehabilitation consultant (if appointed by the University); attend medical and rehabilitation appointments; (There is an expectation that whenever possible, appointments are made for times outside of working hours in order to avoid disruption to any rehabilitation/return to work plan. If this is not possible, you should consult with your supervisor to determine a mutually suitable arrangement.) |

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| | Person Responsible | Actions |
|-----|---|--|
| 4.2 | Injury Management and Wellbeing Advisor | Follow the process outlined in the HSW Injury Management Operations Manual, including but not limited to: Determine if rehabilitation is required and/or can commence based on the doctor's WCC and in accordance with the <u>RTW</u> <u>Act</u>. Contact the employee and their Supervisor to explain the rehabilitation process, roles, rights and responsibilities. Determine who is required as part of the consultative team to assist the employee in the return to work process (e.g. their Supervisor, Head of School/Branch or Executive Dean/Vice President/Deputy Vice-Chancellor, external rehabilitation provider, the employee's representative (if requested), medical experts and family member (if requested). Identify duties which match the capacity of the injured employee in consultation with the employee and their Supervisor. Ensure a signed medical authority is obtained from the injured employee to enable release of personal information pertinent to the rehabilitation process from, or to, medical experts and other relevant parties and ensure all records are securely maintained and filed. Ensure that rehabilitation. Regularly monitor the progress of the injured employee in consultation. Regularly monitor the progress of the injured employee in consultation with their Supervisor, the Rehabilitation Consultant (if applicable) and their treating doctor (if appropriate). Review the WCC after each visit by the injured employee to their treating doctor, the RRTW plan is modified (if required), until the employee receives a clearance (e.g. recovered from the injury and fit to return to normal duties and hours.) Contact the treating doctor if there are any opportunities to provide additional/modified duties which match the employee's capacity or if further clarification/discussion is required. |
| 4.3 | External Rehabilitation Consultant (where applicable) | Liaise with the injured employee, <u>Injury Management Team</u> and other stakeholders (as required). Complete RRTW documentation in accordance with the requirements of the <u>RTW Act</u> and the HSW Injury Management Operations Manual. Provide copies of all documentation to the <u>Injury Management Team</u> on an ongoing basis. Provide status updates to the <u>Injury Management Team</u> on a regular basis. |

4 Process: Rehabilitation - if required (Continued)

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| | Person Responsible | Actions |
|-----|--|---|
| 4.4 | Supervisor of the injured employee | appropriate duties which match the capacity of the injured employee where required. |
| 4.5 | Executive Dean, Vice- President, Deputy Vice-Chancellor, Head of School/Branch (as applicable) | Assist and provide support to Supervisors and injured/ill employees to enable the objectives of this process to be met. Monitor rehabilitation/claims outcomes and work with other Executive/Senior Management and the <u>Injury Management team</u> to ensure all employees with accepted workers compensation claims are provided with appropriate RRTW duties (e.g. where an employee requires redeployment on a short-term or long-term arrangement.) Assist with re-training (if required) to facilitate the employee's return to suitable employment and/or provide additional resources where necessary. |

4 Process: Rehabilitation - if required (Continued)

5 Process: Rehabilitation – Re-deployment (if required)

(i.e. If there is no possibility for the injured employee to return to their pre-injury duties or area of work.)

| | Person Responsible | Actions | | | | |
|-----|---|--|--|--|--|--|
| 5.1 | Executive Dean, Vice President, Deputy Vice-Chancellor, Head of School/Branch (as applicable) | Identify options for re-deployment to another School/Branch within the Division/Faculty if a suitable position is not available in the substantive School/Branch. For noting Should redeployment be required, the employee will only be redeployed to positions where they have the physical capacity, knowledge and skills necessary to perform the required duties for short term placement (e.g. less than 6 months in the first instance). Continued | | | | |

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Process: Rehabilitation – Re-deployment (if required) Continued (i.e. If there is no possibility for the injured employee to return to their pre-injury duties or area of work.)

| | Person Responsible | Actions |
|-----|---|--|
| 5.1 | Executive Dean, Vice President, Deputy Vice-Chancellor, Head of School/Branch (as applicable) | Where the situation requires long term redeployment across School/Branch or Faculty/Division boundaries, options will be discussed in consultation with the Director, HSW. The School/Branch where the employee was employed at the time of |
| | Continued | the work-related injury/illness is responsible for the ongoing payment of income for productive hours worked whilst on placement in another School/Branch. |
| | | Where the injured person is an employee of a Controlled Entity, and the Controlled Entity is unable to provide meaningful work, the University is legislatively required to provide work under the <u>RTW Act.</u> The Director, HSW will consult with the relevant Executive Dean/Vice-President/Deputy Vice-Chancellor/Head of School/Branch as applicable to discuss options to ensure the University meets its legal obligations under the <u>RTW Act.</u> |
| 5.2 | Director, HSW | Liaise with relevant areas to assist the University's Executive to meet Injury Management objective 1.1. |

6 Process: Injury Management systems, reporting and support

| | Person Responsible | Actions |
|-----|--|--|
| 6.1 | Executive Director, Human Resources | Monitor the University's rehabilitation case load and provide resources to meet the objectives of the injury management process. Ensure appropriate processes are in place to manage a case where there is an overlap between Injury Management and Employee/Workplace Relations. Consider and approve expenses within delegation. Brief and consult with the Chief Operating Officer (University Operations) when additional support is required at the Executive level or on cases requiring their financial delegation. |
| 6.2 | Chief Operating Officer (University Operations) | Facilitate and provide support for the injury management process where required in consultation with the Executive from other Divisions and Faculties. |
| 6.3 | Director, HSW | Obtain rehabilitation resources as necessary. Assist in the resolution of disputes if required. Monitor and measure rehabilitation and claims experience outcomes. Liaise with the <u>Injury Management Team</u> on claims which require legal advice/representation and ensure that engagement of external legal advice complies with relevant policy. Provide reports to the Executive Director, Human Resources on claims status and outcomes. Review and approve workers compensation payments and authorise within delegation or escalate in accordance with the University's financial delegations framework. |

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| | Person Responsible | Actions |
|-----|---|--|
| 6.4 | Policy Communications and Injury Management Manager | Co-ordinate the development of systems to assist the University to meet the organisation's responsibilities under the <u>RTW Act</u> and the requirements of the RTWSA Performance Standards. Monitor and measure rehabilitation outcomes. Attend case conferences where required. Attend meetings with the <u>Injury Management Team</u> on a weekly basis (or as agreed) to discuss claims status and ongoing management. Monitor legislative changes and University requirements. Assist the <u>Injury Management and Wellbeing Advisor</u> to maintain the business processes in the HSW Injury Management Operations Manual. |
| 6.5 | Injury Management and Wellbeing Advisor | Maintain all documentation in accordance with the requirements of the <u>RTW Act</u>. Follow and maintain the business processes in the HSW Injury Management Operations Manual on an ongoing basis to ensure key activities are completed within the specified timeframes. Arrange meetings with the relevant Head of School/Branch and/or Executive to provide an overview and report on the relevant claims and rehabilitation status of injured employees, where required. |

6 Process: Injury Management systems, reporting and support (Continued)

7 Process: Complaints

(Note, this section relates to complaints about the injury management process and/or the service received. If the complaint is a reviewable decision (e.g. the rejection of a claim) this is managed outside of this complaints process through the <u>South Australian Employment Tribunal</u>. Additional information is provided in the claim determination letter or can be obtained from the Injury Management Team.

| | Person Responsible | | Actions | | | |
|-----|--------------------|---|---|--|--|--|
| 7.1 | Director, HSW | | Provide a template for employees to make a formal complaint and ensure the process facilitates an equitable resolution as quickly as possible. Ensure the process for managing a complaint is outlined in the HSW Injury Management Operations Manual and the process is followed by the <u>Injury Management Team</u> . Rectify any shortfalls in the injury management process if applicable. | | | |
| 7.2 | Injured employee | • | Contact/meet with the Manager, Policy, Communications and Injury Management and other members of the Injury Management <u>Team</u> (where applicable) to discuss the issue(s) and identify action(s) to resolve the issue(s) wherever possible. Complete the <u>Workers Compensation Complaints Form</u> (Appendix A) if lodging a formal complaint/concern in regard to the claims management and/or recovery and return to work process/service and forward the form to the <u>Policy</u> <u>Communications and Injury Management Manager</u> . | | | |

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8 Definitions

Seriously Injured worker [RTW Act 2014 (SA), section 21]

Is a worker whose injury has resulted in permanent impairment and the degree of whole person impairment has been assessed under Division 5 for the purposes of the <u>RTW Act</u> to be 30% or more.

9 Performance Measures

The HSW Team will use performance measures to assist in identifying areas of success and/or where corrective action is required to meet the objectives and targets of this process.

The level of compliance with the chapter and effectiveness will be determined during the internal audit process.

10 Useful information and resources

| 10.1 | University related documents and Policies |
|------|---|
| | Incident Reporting and Investigation |
| | HSW Policy statement |
| | HSW Injury Management Operations Manual (Internal HSW Document) |
| | |
| 10.2 | Related Legislation |
| | Return to Work Act SA (2014) |
| | Disability Discrimination Act (Cth) 1992 |
| | |
| 10.3 | Useful Web-links |
| | RTWSA |
| | HSW website |
| | |
| | Unions |
| | <u>NTEU</u> |
| | Australian Education Union |
| | Independent Education Union |

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Appendix A (page 1 of 1)

WORKERS COMPENSATION COMPLAINTS - REPORT FORM

This report form is to be completed when an injured employee wishes to lodge a formal complaint about the injury management (claim or rehabilitation) process and/or the service received. (NB - If the complaint is regarding a reviewable decision (e.g. the rejection of a claim or expenses) this is managed outside of this complaints process through the <u>South Australian Employment</u> <u>Tribunal.</u>)

This section is to be completed by the PERSON MAKING THE COMPLAINT (i.e. injured employee)

| Title: Full Name: | | | | Date: | | | | | |
|-------------------------------|----------------------------|-------------------------|------------|-------|--------------------------------|---------|-------|--|--|
| The. | | i un nai | | | | Time: | | | |
| Address: | | | | | | Postcoo | de. | | |
| Conto | Home Phone: | | (|) | | Mobile: | | | |
| Conta | ci Delans. | Work Pl | hone: | (|) | | | | |
| Worksite Name and Address: | | | | | | | | | |
| | | I | | | Claim Reference Number: | | | | |
| | Claim or (emplo | Injury Det byee only | tails) | | Date of Injury: | | | | |
| | | | | | Nature of Injury: | | | | |
| | of Complai tten complai | | eady been | mad | e, attach a copy to this form) | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| Signed compla | (Person ma aint) | aking | | | | | Date: | | |

Forward Form to <u>Policy Communications and Injury Management Manager</u> (University of Adelaide, Human Resources Branch, Rundle Mall Plaza)

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WORKERS COMPENSATION COMPLAINTS – REPORT FORM

This section is to be completed by the Policy Communications and Injury Management Manager

| Image: Second system Image: Second system <td< th=""><th colspan="3"></th></td<> | | | | |
|--|---|---|--|--|
| Please indicate: a) Action taken b) If matter resolved, details of the agreement c) If matter not resolved, details of why matter not resolved | | | | |
| Actions | Responsibility | Timeframe/Date | | |
| | | | | |
| Progress Reports to Employee | Policy Communications and Injury Management Manager | Fortnightly | | |
| Matter Resolved | □ Yes | □ No (refer to Director, HSW) | | |
| Signed (Policy Communications and Injury Management Manager) | Date: | _1_1_ | | |
| Matter referred to the Director, HSW | Date: | | | |
| Please indicate: a) Action taken b) If matter resolved, details of the agreement c) If matter not resolved, details of why matter not resolved d) Outcome communicated to employee. If matter not resolved, employee is provided with information re other resolution processes if applicable (eg formal complaints process, Ombudsman SA etc) | | | | |
| Actions | Responsibility | Timeframe/Date | | |
| | | | | |
| | | | | |
| | | | | |

| Signed (Director, HSW) | Date: | |
|---------------------------|-------|--|
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Note

- Where an acceptable resolution is not achieved, there is an option to take the issue to the <u>Ombudsman SA</u>. However, there is an expectation that before taking the issue to the Ombudsman, all avenues of complaint have been exhausted with the University. Evidence of action(s) taken to attempt to obtain a resolution will be required as part of the Ombudsman's complaints management process. Additional information is available from the <u>Injury Management Team</u>.
- 2. The Employee Assistance Program is available to all staff and their immediate family should support be required at any stage of the injury management process. Information about this free and confidential counselling service is available on the University's website at: https://www.adelaide.edu.au/hr/hsw/wellbeing/employee-assistance-program
- 3. The HSW Team is open to new ideas on how it can continuously improve our systems and service and invites you to provide feedback at any time. If you wish to make a suggestion, please email the <u>Policy Communications and Injury Management Manager</u>. Further to this, an anonymous annual survey is sent to all employees and their supervisors involved with a workers compensation claim in the previous 12-month period.

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