

Safe-T-Works Management System

Management and return to work of ill/injured employees

Context

Victoria Police is committed to an effective and early rehabilitation of ill/injured employees, irrespective of whether the illness/injury is caused as a result of working within Victoria Police. It is recognised that early and regular contact with an absent employee provides welfare and morale benefits to the employee and productivity benefits to the organisation.

Victoria Police aims to support ill/injured employees to safely remain at work or return to work (RTW) as soon as possible. Victoria Police is required to comply with the *Workplace Injury Rehabilitation and Compensation Act 2013* in relation to the return or maintenance at work of employees with work related illness/injury. To meet the obligations and assist employees in returning to or remaining at work, a Management and Return to Work of Ill/Injured Employees process has been implemented.

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Scope and application

This policy applies to all Victoria Police employees.

Policy

1. Reporting and notice requirements

1.1 *Employee responsibilities*

Employees are required to record an injury in the register of injuries within 30 days of first becoming aware of any work related injury. At Victoria Police this is done by creating an incident report on HR Assist. Where the employee is unable to complete an incident notification, Victoria Police are to complete the notification in the register of

injuries on their behalf; and where a non-work related illness/injury impacts on an employee's ability to work, the employee should notify their Manager as soon as practicable.

1.2 Victoria Police responsibilities

- Victoria Police to ensure that a copy of the relevant 'If you are injured' poster is displayed at each workplace in a location that is readily accessible;
- Victoria Police to maintain a register of injuries, this process is managed through a centralised database, HR Assist;

1.3 Manager responsibilities

- the manager is to contact the employee when they are aware of an illness/injury to offer support and assistance; and
- if the illness/injury impacts on an employee's ability to work, the manager should notify the Injury Management Consultant (IMC).

2. Return to Work (RTW) obligations

2.1 Employee obligations

Where there is an accepted claim for Workers Compensation, employees have legal obligations to participate in a RTW process. These obligations are to:

- make reasonable efforts to RTW in suitable or pre-injury employment dependent on capacity;
- make reasonable efforts to actively participate and cooperate in planning for their RTW;
- actively participate and cooperate in assessments of their capacity for work and rehabilitation progress; and
- actively participate and cooperate with the WorkSafe Agent in an interview to enhance your opportunities to RTW, if requested to do so.

2.2 Manager obligations

Where an employee has an accepted claim for Workers Compensation, Victoria Police has legal obligations to assist the employee to RTW. These obligations are to:

- plan for the employee's RTW;
 - obtain relevant information about the employee's capacity for work;
 - consider reasonable workplace support, aids or modification to assist in the employee's RTW;
 - assess and propose options for suitable or pre-injury employment to the employee;
 - provide the employee with clear and accurate and current details of their RTW arrangements; and
 - monitor the employee's progress.
- consult directly with the employee, their doctor or healthcare provider about the RTW process;

- for a period of 52 weeks, provide the employee with suitable employment if they have an incapacity for work and/or pre-injury or equivalent when they have returned to full capacity;
- appoint a RTW Coordinator to assist the employee meet their RTW obligations. At Victoria Police, IMC's undertake this role; and
- make information about RTW available to all employees.

The return to work obligations for Victoria Police commence on receipt of:

- an incident notification;
- a WorkSafe Certificate of Capacity;
- a claim for weekly payments; or
- Victoria Police is advised by the WorkSafe Agent that they have received any of these documents.

3. Meeting the obligations

3.1 *Employee responsibilities*

In order for employees to meet their obligations, employees should:

- keep in regular contact with their Manager, IMC and WorkSafe Agent;
- participate in any meetings arranged to discuss their RTW progress;
- regularly provide information about the progress of their recovery to their Manager, IMC and WorkSafe Agent;
- provide appropriate certificates of capacity prior to returning to work or undertaking any changes of RTW hours or duties;
- respond to suitable employment options of Return to Work Arrangements (RTWA) proposed by Victoria Police;
- report any difficulties throughout the RTW process to their Manager and/or IMC; and
- participate in the issue resolution process to resolve identified issues of concern.

3.2 *Manager responsibilities*

Manager responsibilities are undertaken with support and assistance from IMCs. To meet their obligations, managers will:

- contact the employee to establish the need for support and to offer assistance;
- commence the RTW planning process even if there is no current work capacity;
- identify suitable duties for employees to facilitate a RTW and develop a RTWA;
- make reasonable workplace adjustments to assist the RTW process;

- maintain regular contact with the employee throughout the recovery and RTW process;
 - prior to the employee returning to work, the Manager should advise other employees what will be done to support and assist them and their colleague during the RTW and what they can do to support their colleague. This should be done without compromising the privacy of the employee;
 - participate in regular workplace reviews regarding the employee's progress in RTW and recovery;
 - review and monitor RTWA and ensure actual hours of work are being undertaken in line with the agreed RTWA;
 - participate in regular reviews with the WorkSafe Agent regarding the employee's progress; and
- participate in the issue resolution process to resolve identified issues of concern.

4. Steps to resolve issues related to return to work planning

- Employees who encounter difficulties in the return to work process or require changes to their RTW circumstance must notify their Manager and/or IMC as soon as possible;
- Where a return to work issue has been reported and not resolved through local discussion, then the manager, IMC and the employee must meet and try to resolve the issue as soon as possible, but in no later than 20 days from the report;
- For the purpose of resolving the return to work issue, the manager and IMC should liaise directly with the employee; however, an employee may be represented, assisted and supported during the return to work issue resolution process;
- Following the meeting, if the worker who has raised the RTW issue requests that the manager set out in writing the details of the issue and matters relating to its progress, resolution or outcome, the manager must do so within 14 days;
- Wherever possible and reasonable, attempts are to be made between the worker, manager and IMC to achieve resolution. If this is not successful, senior management from the Region or Department, and senior management from the Injury Management and WorkCover Branch are to be consulted for further advice and assistance;
- If at any stage during the RTW issue resolution process or any party involved requires assistance or advice they may also contact WorkSafe or the WorkSafe Agent.

5. Confidentiality and Information Management

5.1 General

Employee information obtained in the injury management process must be treated in confidence. Information relevant to the return to work process may be shared with persons involved in this process.

- Employee health information collected by Victoria Police must be handled in line with the *Health Records Act 2001* which incorporates the Health Privacy Principles (HPPs).
- Employees are entitled to access their injury management file/HR Assist Record in accordance with VPM Release of Victoria Police Personal Records;
- The privacy of employees must be considered in all communications undertaken.

Related documents

Relevant legislation

- *Workplace Injury Rehabilitation and Compensation Act 2013*
- *Occupational Health and Safety Act 2004*
- *Health Records Act 2001*

Other relevant documents

- VPM WorkCover Claims
- VPM Workers Compensation and accident make-up pay
- Intranet Page – Injury Management and WorkCover

Further advice and information

For further advice and assistance regarding this policy, contact the Injury Management and WorkCover Unit, Health Safety and Wellbeing Division or email PBEA: IMC-OPERATIONS-MGR .

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
07/10/19	VPMP Injury Management and Return to Work updated into new format.	FF 118493