

WorkCover SA

Claims Operational Guidelines

Chapter 1: About the guidelines

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Contents

- Chapter 1: About the guidelines3
- Purpose3
- Operational authorities3
- Early return to work3
 - Research3
 - Scheme impacts4
 - Impact on injured workers4
- Guiding principles for service5
 - Working together5
 - Improving services to workers and employers5
- Disclaimer6
- Conditions of use6

Chapter 1: About the guidelines

Purpose

The purpose of this document is to provide clear guidelines to WorkCover's claims agents with respect to:

- existing policy
- information on legislation, regulations and decisions required to manage workers compensation claims within the South Australian operating environment.

Claims agents should note that these guidelines replace the Injury and Case Management Manual.

The guidelines are not however, a replacement for the *Workers Rehabilitation and Compensation Act, 1986* (the Act) and reference must always be made to the Act.

Operational authorities

WorkCover's claims agent is expected to abide by general operating principles when undertaking claims management services on behalf of WorkCover. These principles are governed in priority order by the:

- *Workers Rehabilitation and Compensation Act 1986*
- *WorkCover Corporation Act 1994*
- WorkCover Corporation SA Claims Management Agreement
- WorkCover Corporation Claims Operational Guidelines.

Early return to work

Research

Throughout the guidelines there is an emphasis on improving the service to South Australian workers and employers by ensuring injured workers receive the assistance they need to return to work as early as possible in the process.

The compelling need to ensure that claims managers have the skills and knowledge required to achieve this goal has been established by international research which demonstrates that the longer people are off work, the less likely they are to return to work.

Scheme impacts

There is strong evidence to show that:

- the longer people are away from work, the more likely they are to develop a secondary injury or psychological illness
- injured workers with a compensation claim take longer to return to work than those with the same injury who are not receiving compensation. For example, non-compensated patients usually recover in six weeks from sprains and strains. WorkCover data shows 55-60 per cent of injured workers with the same conditions are still receiving income maintenance three months after the initial injury.

Impact on injured workers

Research evidence from the American College of Occupation and Environmental Medicine indicates that even a partial return to work can be beneficial to the overall healing process for injured workers.

For example:

- Delay in a return to work can have long-term negative effects on self-esteem, confidence and recovery.
- Prolonged absences from the normal activities of life, including going to work, is generally detrimental to a person's mental, physical and social well-being.
- Physicians can positively impact on the likelihood and speed of healing by communicating clear expectations for recovery to the injured worker.
- Easing workers back to work with some light duties – as soon as the treating medical practitioner and the worker agree the time is right – will help speed things up. Statistics show that even a partial return to work is better for many workers in the long run.

Guiding principles for service

Working together

Throughout these guidelines you will see an increased emphasis on having all participants in the workers rehabilitation and compensation system working together to achieve a common goal: returning people to work sooner and safer.

Improving services to workers and employers

In particular, WorkCover wishes to emphasise claims agent responsibility in ensuring that the following principles are applied to providing services to the South Australian community:

- Injured workers and employers are treated with dignity and respect.
- Rehabilitation and return to work services directly support the worker's restoration to the community (if that is appropriate) as well as a return to work outcome.
- Claims management services are responsive to the rights and needs of our diverse population.
- Claims management services are holistic and focus on the needs of each worker, their family and their work environment.
- Sound and objective claims administration practices are applied with a consistent approach and in a timely manner.
- Claims management services are managed in a cost-effective manner.
- Sound customer service delivery systems promote the constructive engagement of all stakeholders and enable timely and appropriate resolution of issues.
- All personal, health and other confidential or private information will be protected and only released in accordance with appropriate legal and governing standards.

Disclaimer

The information produced by WorkCover Corporation of South Australia in this publication is correct at the time of printing and is provided as general information only.

These guidelines have been prepared for the general information and assistance of claims managers undertaking claims management training. It necessarily contains issues of interpretation and policy. It is not exhaustive, nor is it a substitute for advice on the legislation and decisions of the Workers Compensation Tribunal and Courts.

This publication is not intended as a substitute for the requirements of the *Workers Rehabilitation and Compensation Act 1986*.

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