**Brewarrina Shire Council Corporate Policy**
**Policy Number: HR1/26**

# Injury Management & Recover at Work Policy

Version: 1; Adopted: 22 FEBRUARY 2019

## 1. Intent

This policy aims to provide a framework that ensures the health and safety of Council's workforce, preventing work related incidents and meeting our obligations both morally and legislatively. Council aims to implement practices and procedures to ensure a healthy and a safe working environment and assist injured employees to recover to full health and normal duties as quickly and safely as possible

The objectives of this policy are to:

- Create a workplace culture that prioritises health and safety over operational needs
- Ensure compliance with the Work Health and Safety Act 2011 & Regulation 2017;
- Ensure effective systems for monitoring health of workers and workplace conditions;
- Provide efficient and effective injury management strategies
- Deliver appropriate and meaningful recovery at work principles.

## 2. Scope

This policy applies all employees of Brewarrina Shire Council.

## 3. Framework

Council strives to achieve a harm-free workplace that prevents incidents through a rigorous and systematic process of risk identification, mitigation/control and management and is committed to:

| Statement | Strategy |
|---|---|
| Prevention of Workplace Injuries and Illness | By providing a safe and healthy working environment (as per WHS Policy) |
| Efficient investigation of incidents | Council will promptly and appropriately investigate all incidents to ensure suitable action is taken to prevent further reoccurrence. |
| Early intervention of injury management and recovery at work | Facilitate early intervention procedures that will enable injured employees to stay at work or return to work as soon as medically approipriate in lin with the Recover at Work Program Procedures. |
| Provision of meaningful suitable duties | In order to assist injured workers to return to work in a timely and safe manner Council will offer meaningful suitable duties that align with medical obligations following a workplace injury. The Return to Work Coordinator will be responsible for liaising with relevant parties to determine suitable duties tailored for individual workers |
| Manage Claims | Efficiently and in an equitable time, Manage Claims consistent with legislatively requirements. |
| Ensure appropriate Injury | Ensure employees are adequately trained and informed about |

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| Management Training | Council's Work, Health and Safety, Injury Management and Recover at Work policies and procedures including their rehabilitation rights and responsibilities. |
| Maintain Confidentiality | Ensure all personal information is maintained confidentially and in accordance with legislation requirements. |
| Ensure no employee is disadvantaged or prejudiced | Council will ensure that participation in a Return-to-Work plan will not, of itself, disadvantage an injured worker. All efforts will be made to resolve disagreements about the Return to Work Program, or its components, through discussion and co-operation. |
| Return To Work Program | Brewarrina Shire Council has, in support of this Policy, developed a Return to Work Program in compliance with WorkCover Guidelines for Workplace Return to Work Programs 2011 through consultation and agreement with employees. The Program allows employees to be aware of their rights and responsibilities and the procedures that are followed once a workplace injury occurs. The Program forms part of the operating procedures of Council and is consistent with State Cover's Injury Management Program. |
| Consultation with Workers and, Where Applicable, Unions | This Return to Work Program was developed in consultation with employees and management and allows employees to understand the process that takes place when they are injured at work. Brewarrina Shire Council is committed to consulting with employees, and their union representatives (where requested), on all phases of injury management. Employees will be regularly informed of their rights and responsibilities and Council's policies and procedures in relation to injury management. |

## 4. Accountabilities

### 4.1. MAYOR

- To educate Councillors in their understanding of and compliance with related Policy and Procedures

### 4.2. GENERAL MANAGER

- Ensure the policy framework promotes a workplace committed to continuously improving WHS performance.
- Ensure managers and supervisors support, manage and apply this policy within their area.
- Set measurable objectives and targets to assess the Council's performance.

### 4.3. MANAGERS/SUPERVISORS

- Understand and comply with this policy and its associated procedures,
- Make available education, information and support regarding the policy and its associated procedures.
- Apply the policy and its associated procedures fairly, reasonably and consistently, including providing adequate instruction, consultation, training and supervision that is reasonably necessary to ensure a harm-free workplace, ensure employees continuously meet their responsibilities and accountabitlies and respond in an appropriate, timelyand effective manner to address any concerns, hazards or risks raised by any worker or stakeholder of the Council.
- Ensure that all incidents and injuries are reported to the Human Resources Manager as soon as practicable.
- Ensure employees returning to work after incapacitation are able to perform meaningful work within their medical capacity.
- Actively participate in the investigation and rehabilitation process

### 4.4. RETURN TO WORK COORDINATOR

- To work in compliance with the intent of this policy and
- Bring to the attention of management, any instance where compliance has been breached.
- Report all incidents and injuries immediately to their supervisors and Managers
- Comply with this Policy and its related Procedures.

### 4.5. WORKERS

While at work, a worker must:

- Each worker has an obligation to meet the Councils objectives and Part 2: Section 28 of While at work, a worker must:
- Report all incidents and injuries immediately to their supervisors and Managers
- Comply with this Policy and its related Procedures.

## 5. Definitions

| Term | Definition |
|---|---|
| PCBU | A 'person conducting a business or undertaking' is a legal term under WHS laws for individuals, businesses or organisations that are conducting business. |

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| Stakeholder | Any individual, group or organisation that can affect, be affected by, or perceive itself to be affected by this policy. |
| Worker | Anyone who performs work in any capacity for an employer, business or organisation is considered a worker. This includes volunteers and contractor. |
| Suitable Duties | Work tasks the injured worker is suitably able to perform based on their certified capacity for work. Suitable work may include modified or different work tasks, altered hours of work, work at a different site, retraining or a combination of these in order to assist in the recovery from an injury or illness. |
| Recover at Work Programs | A summary of an agreed system that an employer must have in place in readiness for the management of employees who suffer a work-related injury or illness. |
| Compensable injury | A personal injury arising out of or in the course of employment when working with Brewarrina Shire Council was a considerable contributing factor to the injury, entitling the worker to workers' compensation benefits under the Workers Compensation Act 1987 |
| Non compensable injury | An injury or illness (including physical and psychological conditions) which does not arise out of the course of employment, or that has been deemed not to be compensable under the Workers Compensation Act 1987. |

## 6. Linkages

### 6.1. APPLICABLE LEGISLATION

This policy is to be read in conjunction with the following:

- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulations 2017
- Workplace Injury Management & Workers' Compensation Act 1998
- Workers' Compensation Act 1987
- Workers Compensation Regulation 2010
- Safe Work Australia – Worker Representation and Participation Guide
- WorkCover Guidelines for Workplace Return to Work Programs 2011
- Work Health and Safety Policy
- Recover at Work Program Procedure

### 6.2. RELATED POLICIES AND PROCEDURES

Please refer to the following policies/procedures:

- Code of Conduct

## 7. Review

This Policy will be reviewed every three years or if identified as required. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

### 7.1. POLICY AMENDMENTS

| Version | Date Approved | Resolution No | Description of Changes |
|---|---|---|---|
| V1 | 22 February 2019 | 13/19 | |