



# ACT Public Service

## Injury Prevention and Management Policy

### EARLY INTERVENTION

Policy No	ACTPS-IPM-POL-005
Date of Issue	20 MAY 2005
Application	ALL ACTPS AGENCIES
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Policy Statement	<p>The ACT Government recognises that employers have a responsibility to provide a safe and healthy work environment for its employees. This is achieved by the implementation of a range of preventive measures through occupational health and safety management systems as well as responsive and supportive rehabilitation and disability management programs. Early Intervention is fundamental to reducing the personal, social and financial cost of injury. 'Early Intervention' means a rapid and appropriate response once there is knowledge of any problem or circumstance that may impact upon a worker's physical or psychological wellbeing.</p>

Signed and authorised by Cheryl Vardon, Commissioner for Public Administration

## EARLY INTERVENTION

### 1.0 Introduction

The ACT Government is committed to providing a safe and healthy working environment for its employees, contractors and visitors. As part of the Safety Management System approach to Occupational Health and Safety (OHS), agencies are required to have a pro-active management framework that avoids and/or rectifies the issues or events which may impact negatively on personnel. Early Intervention, in dealing with concerns as they present, is a positive response to safeguard the welfare of staff and limit the potential escalation of physical and/or psychological injury. Early Intervention is most successful when it occurs prior to absence, at the first sign or report of injury or illness.

### 2.0 Purpose

The ACT Government and its employees are accountable under the *Occupational Health and Safety Act 1989* (OHS Act), as modified by the *Public Sector Management Act 1994* (PSM Act), for the provision of a safe working environment, including the elimination of hazards in the workplace.

Early Intervention seeks to identify and address problems as they arise. Incidents or issues that impact negatively on workers, if left unaddressed or with a delayed response, can and often do result in injury or increased distress for those directly and indirectly concerned. The resulting situation can become more damaging and widespread than the original circumstances implied.

This policy is designed to outline a pro-active response for agencies to follow once it is apparent that a situation has arisen that may impact negatively on staff. Early Intervention and pro-active injury management are critical in maintaining an employee safely at work, within appropriate medical restrictions, or achieving a speedy return to work, following a work related injury.

The Early Intervention approach is not intended for minor non-work-related medical conditions such as cold, influenza or viral illness, although healthy work practices and prevention programs should help to minimise the effects of these illnesses.

### 3.0 Objectives

This policy aims to provide guidance to employers and employees in the development of:

- A framework for the early identification and reporting of situations that may result in injury or distress;
- Guidelines for a quick and responsive approach to addressing difficulties which may impact upon the welfare or wellbeing of staff;
- A framework for the early return to work for injured personnel **irrespective** of compensation liability;
- An environment that is supportive of injured workers by recognising that preventing disability is an extension of preventing the injury. By reducing the impact of disability:
  - a) the worker may enjoy a timely return to work and productivity;
  - b) costs associated with disability and injury may be reduced; and
  - c) morale and work group competence may be preserved and improved.

### 4.0 Scope

This policy shall apply to all A.C.T. Public Sector (ACTPS) employees.

### 5.0 Definitions

Early Intervention – prompt and appropriate action taken to assist an employee with an injury/illness to remain at work, or to return to work safely as soon as possible.

Employee – means the employees of the ACTPS.

Reasonable Adjustment - means managing some feature(s) of the work situation so that people with temporary or permanent disabilities can do their work more effectively, e.g. modifying equipment or work practices. Reasonable adjustment is related to a specific disability and the essential work requirements of a position. The employer is required to make reasonable adjustments unless they would result in 'unjustifiable hardship' to the employer.

Return-to-Work Program – is a structured means of returning injured or disabled workers to a safe and productive work environment as soon as medically possible.

## **6.0 Goal and Objectives of Early Intervention**

The goal of Early Intervention is to minimise the impact of injury/illness on ACTPS employees.

Many positive objectives may be achieved through the implementation of early intervention strategies, including:

- supported and sustainable pathways for the development of return to work programs;
- reductions in the worker's compensation premium through timely and effective responses to illness or injury;
- reduction in work-time loss for employees and their employers, (both in frequency and duration);
- a positive work culture with beneficial relationships between employers, employees and relevant unions;
- recognition of the value of employees and their contribution to the workplace.

## **7.0 Early Intervention Strategies**

ACT Government agencies should develop Employee Rehabilitation Management Guidelines for their local areas. This process should be proactive and participative, involving the relevant Injury Prevention and Management area, unions and staff. The focus of these guidelines should be on meeting individual needs and action should **not** be governed by whether an injury or illness is compensable. The Guidelines should incorporate the Early Intervention strategies that are outlined in the following sections.

### **7.1 An approach NOT dependent on a compensation claim.**

An early intervention approach should not be dependent on the lodgement of a compensation claim by the injured worker. Such delays can render support for the injured worker largely ineffective, especially if there is a delay (as commonly occurs) in the lodgement of the claim.

It is wrong to believe that supporting an injured worker prior to either lodgement or acceptance of a workers' compensation claim will be prejudicial to the decision on acceptance or otherwise of liability for that claim. The Comcare delegate's decision, by law, will be based on medical and other evidence available. The provision of support by an employing agency after an injury or illness has occurred is not a factor in that decision.

## **7.2 Early Reporting.**

Early reporting is critical to an effective Early Intervention approach.

Timely reporting of an incident and the subsequent action that is taken will, invariably, impact on the success of the staff member's return to work. Please refer to **Attachment 1** for an Early Intervention flowchart.

There are also some kinds of injuries, such as musculo-skeletal or psychological injuries that are often not reported early. This is because, while other types of injuries such as wounds or broken bones may be more immediate, these injuries usually progress over time and are not as easy to discern. With strong, proactive communication, safety and health professionals can reverse this course by encouraging employees to report a case as soon as they begin to experience symptoms.

## **7.3 Contact with Employee.**

There should be timely and consistent contact with the employee, providing advice, assistance and support. The first contact should occur within 24 hours to clarify the nature and extent of injury and to offer support and assistance. If it appears that the employee will be absent for more than 5 working days the relevant Injury Prevention and Management team should be notified. The focus of the interaction with the employee should always be positive, and look for solutions to assist the staff member with their return to work. A co-operative approach among the various partners should lead to the development of a successful return-to-work plan.

## **7.4 Return to Work Programs.**

The goal of a Return to Work (RTW) program is to rehabilitate workers so that they can safely remain at work or safely return to work as soon as possible. The Program should be developed co-operatively with the worker and employer, and seek advice and assistance from key participants such as medical professionals, rehabilitation advisors, co-workers and union representatives.

The underlying principles of a RTW program are:

- a safe return to work as soon as possible is the normal practice and expectation;
- to ensure early access to rehabilitation services, eg appointment of rehabilitation providers for all who need them;
- to provide suitable and sustainable duties for an injured worker as an integral part of the rehabilitation process;

- to consult with workers and, where applicable, any industrial union representing them to ensure that the rehabilitation program operates smoothly and effectively;
- to inform workers of their rights in relation to any Workers Compensation claim, including the choice of doctor and accredited rehabilitation provider;
- to provide access to interpreter services, if necessary;
- to ensure that participation in a rehabilitation program will not of itself prejudice an injured worker;

It is preferable for every effort to be made to return the worker to the same duties (albeit modified in some instances) and work patterns with the same work area. However, this may not always be possible. In those cases, arrangements should be made to return to the same work area with similar, modified or new duties that are suitable to the employee's particular circumstances, in accordance with principles of reasonable adjustment. If this cannot be achieved then the RTW plan should explore a return to work for a different work area or a different employer.

## 8.0 Responsibilities

### 8.1 Chief Executive

The Chief Executive should be prominent in articulating and promoting a healthy, safe and supportive work environment with a focus on returning and/or retaining injured staff at work. Resources should be made available for injury management programs, staff training and, when necessary, modification or redeployment of staff duties. Early reporting of injuries and return to work programs should be included in key performance indicators.

### 8.2 Supervisor

It is the responsibility of the Supervisor to intervene at the earliest possible time when an injury or incident is observed or reported. The Supervisor must ensure that:

- accidents and near misses are reported and investigated for corrective action;
- ill, injured or distressed staff receive appropriate medical attention and are assessed for their capacity to carry out work safely;
- the injury/illness is reported to the appropriate Injury Prevention and Management area at the **earliest** possible time;
- an investigation is undertaken to identify the cause of the accident/injury and action is taken to minimise the risk of recurrence;
- contact is maintained with the affected staff member to offer support, advice and reassurance;

- appropriate information is provided to the medical assessor or treatment provider on possible job maintenance or return to work options.

### **8.3 Injury Prevention & Management (IP & M) Case Manager**

A Case Manager should be appointed to manage the employee's RTW program and to maintain contact with the staff member, supervisor and treatment providers. The role of a case manager is to:

- maintain a high level of communication with all stakeholders;
- enable the early notification of injury and the timely assessment of an individual employee with a view to achieving an early return to work within medical guidelines;
- enable the development of individual, outcome based, rehabilitation programs which set out the steps to be followed in achieving the return to work of an injured employee where appropriate;
- ensure that the return to work process is coordinated and well communicated;
- advise the worker of their rights and entitlements under the SRC Act and assist with lodgement of a Worker's Compensation Claim if necessary.

### **8.4 Employee**

It is the responsibility of the employee to:

- report a possible work related illness or injury quickly;
- seek appropriate treatment to restore health and lessen the severity of any disability;
- participate in any investigation to identify the cause of the accident/injury and to minimise the risk of recurrence;
- co-operate with initiatives and directions aimed at current job maintenance or returning to work quickly;
- maintain contact with workplace management;
- if requested by their employer, provide a medical certificate or report to establish their fitness for duty or need for amended duties.

## **9.0 Confidentiality and Contact With Treatment Specialists**

With the consent of the employee, a supervisor, or an agency representative such as the IP & M Case manager, may accompany them to a doctor's surgery or hospital to provide support. It is important to ensure that the doctor is aware of the commitment to assisting employees to remain at work or return to work quickly, and to provide information on the range of tasks available for the individual concerned.

**An agency representative, who accompanies an employee may not request or receive information of a medical or personal nature, from the**

**doctor or other treatment specialists without authorisation from the employee.**

Any discussions regarding work restrictions, which occur between the supervisor and treatment specialist must be carried out in the presence of the employee or with their agreement that such a conversation can take place in their absence.

Medical-in-confidence information must be stored securely and separately from employee information. Only people who have been authorised by the staff member, or those with a legislative entitlement, should have access to this information.

## **10.0 References**

The reference authorities for this policy are:

- OHS Act, as modified by the PSM Act;
- relevant OHS regulations, codes and standards;
- ACTPS agency Certified Agreement(s) 2004-2007;
- PSM Act;
- *Discrimination Act 1991*;
- *Public Sector Management Act 1994* (PSM Act);
- Public Sector Management Standards;
- *Safety, Rehabilitation and Compensation Act 1988* (SRC Act); and
- The ACT Public Service Employment Framework for People with a Disability 2004.

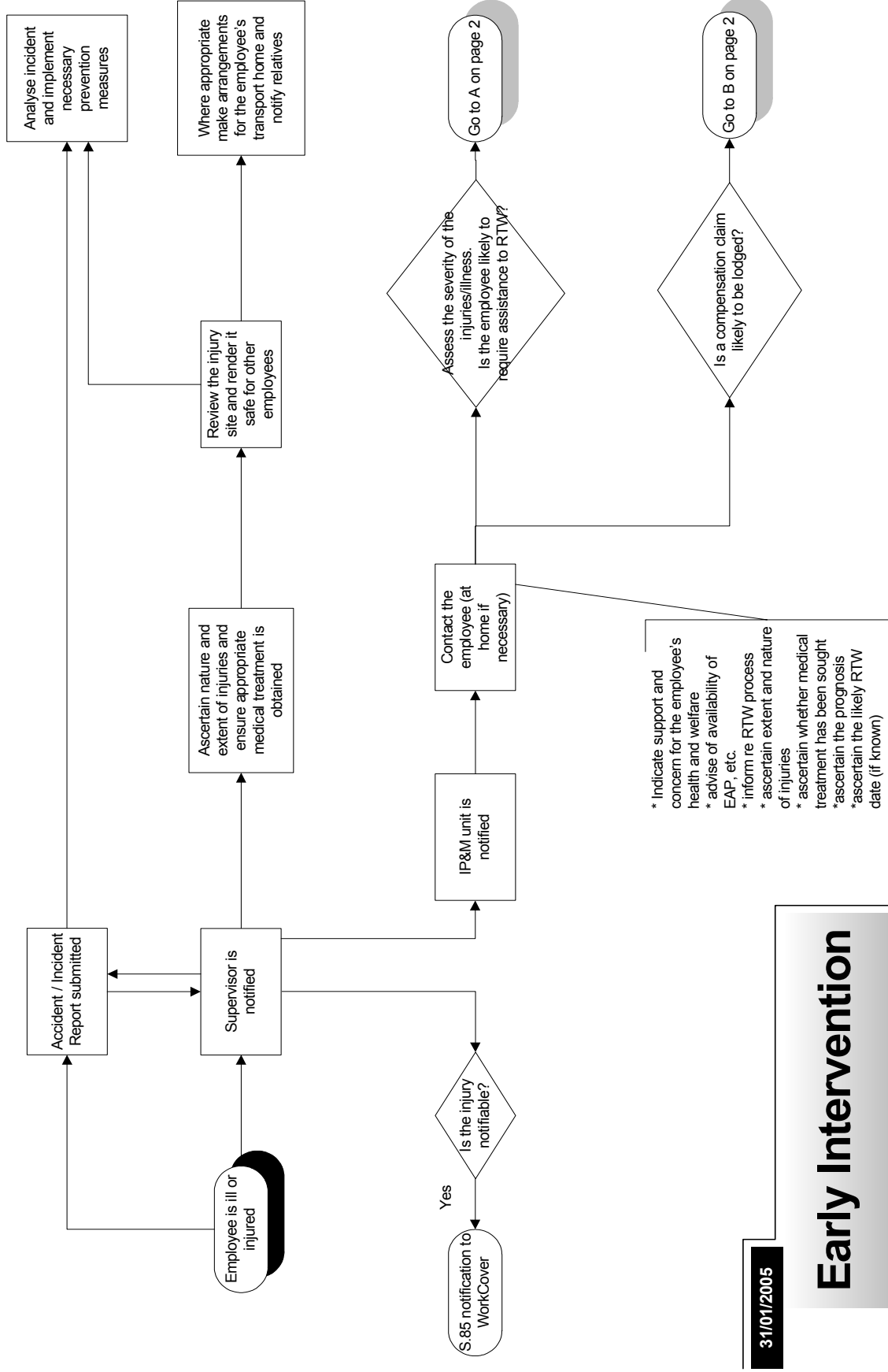
## **11.0 Approving Authority and Review Date**

This policy will be reviewed within three years from the date of approval.

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Commissioner for Public Administration

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Date

*Feedback on this policy document can be forwarded to:*  
[IPM PolicyFeedback@act.gov.au](mailto:IPM PolicyFeedback@act.gov.au)



# ATTACHMENT 1

