**Priorities for Providing Rehabilitation**

The Department has a legislative obligation under section 228 of the *Workers’ Compensation and Rehabilitation Act* *2003* to assist or provide rehabilitation for an employee with a current accepted WorkCover claim. This section specifically states:

“The employer of a worker who has sustained an injury must take all reasonable steps to assist or provide the worker with rehabilitation for the period for which the worker is entitled to compensation.

The rehabilitation must be of a suitable standard as prescribed under a regulation.”

TheDepartment’s [*Workplace Rehabilitation*](https://ppr.qed.qld.gov.au/pp/workplace-rehabilitation-procedure)Procedure states that:

*The Department may provide workplace rehabilitation programs to assist employees who do* ***not*** *have a current accepted WorkCover claim return to work, where operationally reasonable. When making decisions about what is or will be considered operationally reasonable the Department will consider, on the balance of the employee's and workplace's needs, the following:*

* [*Financial Accountability Act 2009* (Qld)](http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/F/FinAccountA09.pdf) , which sets out a clear obligation on accountable officers to ensure that the operations of the department are carried out efficiently, effectively and economically;
* [*Queensland Public Service Code of Conduct*](http://www.psc.qld.gov.au/library/document/catalogue/equity-ethics-grievance/qps-code-conduct.pdf) , which requires appropriate use of official resources, public property and facilities, and imposes an obligation on employees to ‘be economical and avoid waste and extravagance in the use of public resources for proper purposes’;
* [*Education (General Provisions) Act 2006* (Qld)](http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf) , which stipulates that the objectives of the Act are:

‘to make available to each Queensland child or young person a high quality education that will –

* + help maximise his or her educational potential; and
	+ enable him or her to become an effective and informed member of the community; and
	+ to provide universal access to high quality State education.’

The core business of the Department is therefore to comply with the legislative obligations outlined in the *Education (General Provisions) Act 2006* as noted above and therefore the provision of rehabilitation to employees who are not WorkCover accepted claims, needs to be aligned with the above departmental obligations; and

* An assessment of risks to the injured or ill employee, other employees, students and others in the workplace.

Given the above procedural and legislative obligations, the Department’s priority in relation to the provision of workplace rehabilitation to employees is as follows:

|  |  |  |
| --- | --- | --- |
|  **Priority**  | **Case Description**  | **Case Manager**  |
| 1. Accepted WorkCover claims  | All accepted WorkCover claims where the provision of rehabilitation is required.  | A Q-COMP accredited Rehabilitation and Return to Work Coordinator (RRTWC)  |
| 2. All non-WorkCover claims/extended sick leaveThis includes:* All rejected WorkCover claims
* All applications for QSuper Income Protection Benefits and QSuper Graduated Return to Work Benefits
* All extended sick leave applications
 | All rejected WorkCover claims, where the provision of rehabilitation or other case management duties may be required.All accepted QSuper Income Protection Benefit applications and QSuper Graduated Return to Work Benefit applications, where the provision of rehabilitation or other case management duties may be required. All approved applications for extended periods of sick leave, where the provision of rehabilitation or other case management duties may be required. | Preferably a Q-COMP accredited Rehabilitation and Return to Work Coordinator (RRTWC) would act as Case Manager for employees with ill health that is not the subject of an accepted WorkCover claim.In the absence of an available Q-COMP accredited RRTWC at your workplace, another appropriate person needs to be nominated by your Principal/Manager to facilitate rehabilitation in accordance with the Department’s procedure. |

Consultancy and advice in regards to workplace rehabilitation is available from the following locations:

|  |  |
| --- | --- |
| **LOCATION** | **FOR CONSULTATIVE ADVICE CONTACT:** |
| School based/regionally based RRTWCs (including Training Qld regionally based RRTWCs and OECEC RRTWCs) | Your local Regional Office, Organisational Health Team |
| Central Office/CBD based RRTWCs | The Organisational Health Unit, Central Office |
| TAFE Institute RRTWCs | The TAFE HR Manager/HR Team |