1. PURPOSE

To provide information about workers’ compensation insurance arrangements for State Emergency Service (SES) members.

2. RATIONALE

This document outlines the processes with regard to workers’ compensation for SES members.

3. APPLICATION

Applies to all SES members including probationary SES members.

4. OPERATIONS DOCTRINE INFORMATION

This SES Operations Doctrine replaces information contained in former Administrative Instruction Number 21 dated 8 January 1997.

Under Section 142 of the Disaster Management Act 2003, the Chief Executive of Queensland Fire and Emergency Services must enter into a contract of insurance with a workers’ compensation provider that will cover SES members as they perform their approved functions, or participate in other activities related to their carrying out of their allocated functions or disaster operations. This might include, for example, training activities, community awareness sessions and operational duties.

WorkCover Queensland is the insurance provider. If an SES member is injured or becomes ill as a result of performing an approved SES function, the SES member may be entitled to the payment of lost wages and reasonable medical and rehabilitation expenses. Specific entitlements are determined by WorkCover Queensland in accordance with the Workers’ Compensation and Rehabilitation Act 2003.

5. PROCEDURAL INFORMATION

5.1 ELIGIBILITY

To be eligible to apply for workers’ compensation, under the provisions of the Disaster Management Act 2003, every individual involved with the Queensland SES in performing the approved SES functions is required to become a registered SES member.

SES members are provided with workers’ compensation coverage, subject to:

- the injury occurring while the SES member was engaged in an authorised SES activity; and/or
- the SES member was acting under the direction of, or with the knowledge of, an SES Executive.
WorkCover Queensland will determine each application for compensation in accordance with the decision criteria as outlined in the *Workers’ Compensation and Rehabilitation Act 2003*. 

### 5.2 NOTIFICATION OF INJURY

In all cases, where there is an injury to an SES member, during any SES activity, it must be promptly reported to the SES Local Controller or delegate who in turn must report the incident to the Area Director. SES members must also ensure they notify their SES Group Leader immediately of any potential injury/illness that has or may likely to have been caused during an authorised SES activity. The SES Group Leader must then notify the SES Local Controller or delegate who in turn must report the potential incident to the Area Director.

While psychological injuries are reportable in the same way as any other injury as detailed above, where an SES member is concerned for their own mental health they are reminded they have access to the services of the EMbrace Program, which may assist with this process and will maintain the SES member’s confidentiality until they are ready to report the incident. For further information refer to "BMH 8.0 Critical Incident Management", "BMH 19.0 Peer Support" and “BMH 13.0 EMbrace Program”.

All injuries are to be recorded on the WHS009 I-A Report, found in the Workplace Health and Safety Policies for Volunteers 2002 and a copy of the completed Report forwarded to the Area Office.

### 5.3 ATTENDANCE LOGS

To ensure coverage, all SES members including probationary SES members must complete the attendance log (refer FODO 5.0.1 Attendance Log) for each activity they attend.

The relevant SES Unit must store these records as proof of attendance in the event of a workers’ compensation claim.

### 5.4 WORKERS’ COMPENSATION CLAIMS

All SES members may lodge an application for compensation with WorkCover Queensland for an injury/illness (including psychological injuries) sustained whilst undertaking an authorised SES activity. The claim form is available on the WorkCover website [www.workcoverqld.com.au](http://www.workcoverqld.com.au) and should be submitted to WorkCover Queensland using a lodgement process as approved by WorkCover Queensland. Under the *Workers’ Compensation and Rehabilitation Act 2003*, section 131, an application must be made within 20 business days of an SES member being assessed by a registered medical practitioner (i.e. doctor), dentist or nurse practitioner, otherwise the delay may prejudice any compensation claim.

It is important to note, that to apply for workers’ compensation for an injury/illness, the injured/ill SES member must consult with a doctor, dentist or nurse practitioner and obtain a workers’ compensation medical certificate.

### 5.5 RETURN TO DUTIES FOLLOWING INJURY

An SES member who suffers an injury or illness related to an authorised activity is to provide a medical clearance certificate from a registered medical practitioner prior to returning to SES activities.

In certain instances, QFES may require an SES member to undergo an independent medical examination to fulfil its duty of care to SES members and to ensure their fitness for activities prior to a return to operational duties.
6. PRIVACY AND CONFIDENTIALITY

In relation to the privacy and confidentiality of an SES member’s personal information, QFES will:

- maintain the privacy of SES members at all times in accordance with BMA 6.0 Information Privacy; and
- report all work-related injuries or illnesses where compensation may be payable through WorkCover Queensland pursuant to section 133 of the Workers’ Compensation and Rehabilitation Act 2003.

Any QFES, Public Safety Business Agency staff and/or SES Executives who are involved with an SES member’s workers’ compensation claim process may have access to personal information and are bound by a duty of confidentiality to ensure that all information conveyed remains confidential.

7. ADMINISTRATIVE INFORMATION

This information is to be accessible for all relevant personnel.

8. FORMS AND TEMPLATES

Nil

9. APPENDICES

Nil

10. RELEVANT LEGISLATION, POLICY AND GUIDELINES

- Disaster Management Act 2003
- Work Health and Safety Act 2011
- Workers’ Compensation and Rehabilitation Act 2003
- Information Privacy Act 2009
- Workplace Health and Safety Policies for Volunteers 2002
- WHS 009 – Incident/Accident and Injury Reporting, Recording and Investigation
- DCS Workplace Rehabilitation Policy
- DCS WHS Injury Management Standard (Core) 12.0 and 12.1
- QSES – BMA 6.0 Information Privacy
- QSES – BMH 2.0 Application for General Membership
- QSES – BMH 13.0 Embrace Program
- QSES – BMH 19.0 Peer Support
- QSES – BMH 21.0 General Member Probation
- QSES – ODO 5.0 Attendance Log

11. DOCUMENT REVIEW

This document will be reviewed every 18 months or as otherwise required as a result of identified legislative, policy and/or procedural changes.

Original Signed
Lee A Johnson AFSM MIFireE
Commissioner
Queensland Fire and Emergency Services