

Surf Life Saving WorkCover Guide



Preamble

This guide is to assist members who may be required to submit a claim for an injury sustained during the course of their surf life saving duties. It is also designed to assist Clubs, Branches and Surf Life Saving Queensland Officers and Advisors, to understand the WorkCover policy, the coverage it provides, the requirements for a claim and the implications for members.

This guide does not attempt to be complete in itself. Its purpose is to point out members entitlements, and the procedures to follow in the event of a claim arising.

For further information please contact your Club, respective Branch Officer or Surf Life Saving Queensland at Surf Life Saving Queensland on 07 3846 8000, or visit the WorkCover Queensland website on

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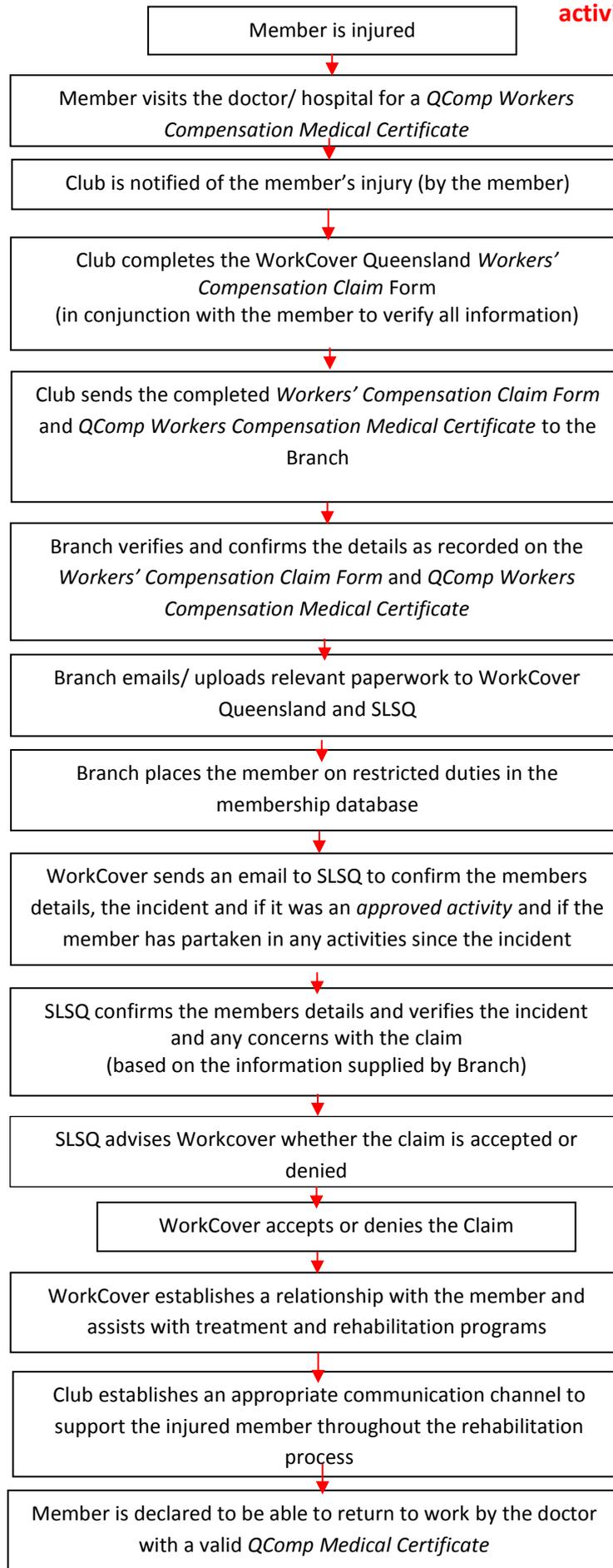
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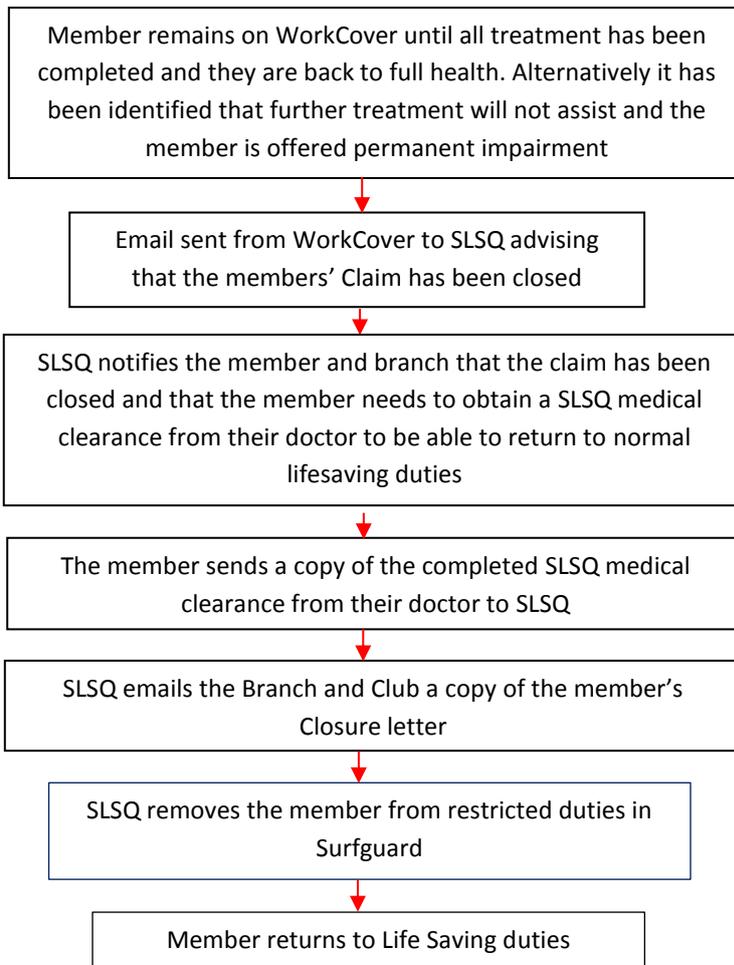
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Chapter 1

NB: The member is not eligible to participate in any Life Saving activities while on restricted duties.





Chapter 2

What is WorkCover Queensland?

WorkCover Queensland provides worker's compensation insurance for Queensland employers, compensating and helping workers with their work-related injuries.

Surf Life Saving Queensland and WorkCover Queensland have had an established working relationship since 1st July 1970. The arrangement is different to other businesses, due to the fact that we are an association of volunteers. SLSQ is one of three organisations that is able to 'purchase a policy' to protect our volunteers and provide them with medical and income compensation where necessary in the event of an injury during their volunteer activities.

Policy of Insurance

This policy refers to all claims that are a result of injuries sustained from approved activities that are provided under the scope of SLSQ. Such activities included under the scope are approved patrols, competition and club, Branch and State training. *Refer to approved activities (page 6) for a comprehensive list.*

Contract of Insurance

Each year a renewed Contact of Insurance (COI) is signed by both SLSQ and WorkCover Queensland parties stating that an updated agreement has been entered. The Contract of Insurance is issued under *Section 26 of the Workers' Compensation and Rehabilitation Act 2003 (Queensland)*.

Premium

The premium payable to WorkCover Qld is calculated on the number of members to be insured and the quantum of potential claims. Surf Life Saving Queensland pays the premium on behalf of the Surf Life Saving Clubs and their members.

Definition of a "Volunteer Lifesaver"

In the WorkCover Queensland contract a volunteer lifesaver is restricted to persons who are:

- A minimum of 14 years of age; and,
- Registered members with an affiliated Club of Surf Life Saving Queensland, irrespective of whether the member holds a Bronze medallion or Certificate II in Public Safety (Aquatic Rescue)

This includes members (14 years of age or older) in the following membership categories:

- Active Junior
- Active Cadet
- Active Senior
- Active Reserve
- Long Service
- Life
- Award
- Past Active
- Honorary, and
- Associate

NB: If a member is injured and they are under the age of 14 they are covered by the Junior Activities Personal Accident Insurance, which is administered by SLSA's Insurance brokers Jardine Lloyd Thompson.

It is important to note that a child under the age of 5 is not covered due to our Insurance coverage and SLSQ membership restrictions.

What is an Approved Activity

An approved activity is any activity that is deemed to be approved by Surf Life Saving Queensland, Branch or Club. Approved activities include the following:

- Patrols
- Inter-Club and Inter-Branch carnivals
- SLSQ carnivals (including all events that are inclusive of the following disciplines: Board, Swim, Ski, Boats, Sprints, Flags, IRB and Pool)
- SLSA carnivals (e.g. Coolangatta Gold and Australian Titles)
- Club, Branch or State training sessions (with an accredited coach)
- Direct travelling to and from the Club for Club duties (patrols or competitions) [this is only for financial members attending an event or activity in a formal capacity]

NB: It is important to note that members that are in the Under 15 age group and are injured while competing or training in the ski or surf boat disciplines will not be covered by WorkCover. Individual training is also not covered.

Proof of an Approved Activity

Claims can be lodged providing that the injury occurred while the member was participating in an “approved activity”(as listed above), with the “approved activity” being the primary cause of injury.

Proof that the activity was approved by the Club, Branch or SLSQ will be required. This can be provided in the form of a copy of the:

- Minutes approving the activity
- Patrol log
- Training log
- Incident report
- All formal correspondence related to the activity or program

Details of Cover

Providing that the Claim requirements have been met (as outlined above), the cover that SLSQ has, allows for the payment of compensation and/ or other benefits at the discretion of WorkCover Queensland, for members identified as a “volunteer lifesaver”. The compensation and other benefits are equivalent to those paid to a “worker”, and in conjunction with the WorkCover payment framework.

It is important to note that WorkCover is not a 24 hour cover. It only provides cover to volunteer lifesavers, defined under the legislation, who are injured while engaging in an “approved activity”.

Trauma/Critical Incident Counselling

A claim in this instance applies to those members immediately affected by a critical incident. Anyone not in the immediate vicinity or witness to the incident may not through application meet the criteria of exposure to a critical incident.

Please note that the procedure for this type of claim is exactly the same as for any other type of injury; however the determination of the claim may be more extensive in terms of the investigation, as additional information may be required.

Chapter 3

Members Responsibility

The member plays a vital role in the WorkCover Claim process. The member is responsible for reporting the injury to the relevant Surf life Saving Club as soon as possible, ensuring this is done so within 7 days of the incident. Once this is done the club/administrator will be able to initiate the claim.

The member will also be required to see a doctor and make a certified doctor's certificate on an appropriate Qcomp medical certificate available to the club/branch, as well as Workcover Queensland.

The member is obliged to complete all the necessary forms when applying for compensation, and must provide accurate and true information to Workcover at all times. It is important for the member to ensure that all details have been completed, especially the question "what were you doing at the time and how did the injury happen?" the member must include FULL details. For example, it is not satisfactory to put just "IRB training". Rather, as an example "I was the driver during IRB training, and we were lifting a patient into the boat (the boat was in motion at the time). The crewman lost his grip on the patient, and I sustained a straining, etc...."

Once the member has completed the 'application for Compensation' is to be lodged with the club with two copies of the QComp Medical Certificate, given by the treating Doctor. Alternatively the claim can be lodged directly by the hospital, doctor or directly with WorkCover Queensland.

Club Responsibility

The Club is responsible for forwarding the claim to the relevant branch and ensuring that it has been provided correct and adequate information in case further evidence is required from WorkCover Queensland. The club should also assume a support role and maintain close communication with the injured member throughout the claim process monitoring the member's recovery.

NOTE: Confirmation that an activity is an approved activity is the responsibility of SLSQ. It is important that the Club does not lodge any letters or paperwork to WorkCover Queensland stating that the activity was approved as this may jeopardise future claims.

Branch Responsibility

For the Workcover process the branch is deemed as the employer. It is the branches responsibility to review the "application for compensation" claim form and ensure that all information contained within the application is true and accurate. It is advisable that the Branch maintains copies of all the documentation that is submitted to WorkCover throughout the Claim process.

The branch must also complete the "employers report" and ensure that all required attachments are with the application.

The Branch may also be required to liaise with SLSQ, the club and the member throughout the claim process.

It is advised that the branch retains a copy of all documentation, as well as keeping a copy of the QComp Medical Certificate and file it for Admin purposes. All documentation required by Workcover Queensland should be sent to:

Workcover Queensland
GPO Box 2459
Brisbane QLD 4001
Fax: 1300 651 387
Website: www.workcoverqld.com.au

NB: Confirmation that any activity is an approved activity must only be done by SLSQ. It is important that the Branch does not lodge any letters or paperwork to WorkCover Queensland stating that the activity was approved/not approved as this may jeopardise future claims.

SLSQ Responsibility

Surf Life Saving Queensland is classified as the administrator for all WorkCover Queensland Claims, with SLSQ working closely with WorkCover and is responsible for confirming:

- The member was engaged in an “approved activity”
- The members details are true and correct (as per database records)
- The member has not completed any patrols or other activities (including training, competitions or fundraising) since the date of injury

SLSQ are responsible for maintaining monthly reports for Branches as to what claims are active and completed, as well as ensuring that members are placed on appropriate levels of activities within the database.

NB: SLSQ is not responsible for lodging Claims for Clubs and Branches.

Members Duties

When a member is receiving WorkCover, the member must be placed on restricted duties, this is from the date that the Claim was lodged up until the Claim being closed. This means that the member is not allowed to participate in any Club or association activities as a member, for example patrols, competition, raffles, etc.

If a member participates in activities whilst on restricted such activities will be deemed non-approved activities and therefore no further coverage under WorkCover would be available. Breach of this policy may also result in disciplinary action.

Professional and Semi-Professional Athletes

If a member is competing in an event or undertaking an activity in a professional capacity they will not be able to receive a Claim. This includes SLSQ “approved activities”, such as Coolangatta Gold or Nutri-Grain Iron Man Series. This is due to the fact that the Surf Life Saving Queensland and WorkCover Queensland Contract of Insurance only cover members that are taking part in approved activities in the capacity as a “volunteer lifesaver”.

Chapter 4

Determination of a Claim

Whilst WorkCover seeks to determine all Claims in an efficient manner, they must make a decision to accept or reject an application within 20 business days of receiving the application for compensation.

The following can be requested when determining the Claim:

- Written statements
- A Medical Report from the treating Doctor
- Independent Medical Review
- Hospital/ Ambulance/ Traffic Reports

Time Limit for Lodgement of Claims

The member, Club and Branch have six months from the date that the member first sought medical treatment for the injury to lodge the Claim. If the Claim is lodged after six months it could result in a rejection from WorkCover Queensland.

Compensation Entitlements

If a Claim application is accepted, the member's statutory worker's compensation entitlements may include (but are not limited to):

- Weekly payments
- Medical treatment costs
- Hospitalisation costs
- Travelling costs
- Rehabilitation
- Lump sum compensation

NB: The compensation entitlements that a volunteer lifesaver receives shall not be any greater than if they would have been a worker under the Act.

4.1 Weekly Payments

Weekly Payments are calculated according to different structures depending on the member's employment and is then dependant on the duration of incapacity.

- Structure 1 – Industrial Award
- Structure 2 – Non Award
- Structure 3 – Self Employed

4.2 Medical Treatment Costs

WorkCover will pay reasonable and appropriate medical treatment costs for an injury. However, the member must be covered by a current Workers' Compensation Medical Certificate when receiving treatment, and must send accounts for medical treatments to WorkCover for consideration.

NB: Where treatment is provided by a physiotherapist, chiropractor, or other rehabilitation providers only 5 treatments are allowed without prior approval from WorkCover after the original Claim is lodged.

4.3 Hospitalisation Costs

WorkCover may pay the cost of private hospitalisation, only if it has been pre-approved by WorkCover, prior to admission.

Where no prior approval has been granted members may be liable to pay hospital and related medical expenses.

4.4 Travelling Costs

WorkCover may pay reasonable travelling expenses, where approval has been gained.

4.5 Rehabilitation

The *Workers Compensation and Rehabilitation Act 2003* clearly sets out the obligations of all parties involved in the rehabilitation of injured workers, including the injured worker, WorkCover Queensland and SLSQ.

WorkCover Case Managers will be proactively involved in the rehabilitation process and are also the principal contact throughout the duration of the Claim.

The benefits of rehabilitation include (but are not limited to):

- Quicker recovery and reduced suffering
- Minimal disruption to family, social and working life
- Faster return to productive work
- Job and financial security
- Reduced chance of losing physical condition

NB: Members are obliged to satisfactorily participate in rehabilitation as soon as possible after injury. If a member refuses or fails to participate in rehabilitation, the compensation benefits may be suspended.

4.6 Lump Sum Compensation

Lump Sum Compensation payments are only made to members that are deemed to be permanently incapacitated, which is identified in conjunction with WorkCover Queensland, QComp and the relevant treating doctor.

Chapter 5

Rights to Appeal

Both SLSQ and members have rights to appeal. The *Review Unit* is located at QComp, which is the regulatory authority for Workers Compensation matters in Queensland, and is in place to give workers and employers a course of action should they disagree with a decision made by WorkCover.

Welfare Services

If it is indicated by a representative of WorkCover that the acceptance of a members' Claim may take some time, they are advised that they can apply for a sickness benefit from Centrelink. If the Claim is accepted WorkCover must be notified of any Centrelink benefits, as a reimbursement payment will need to be made to Centrelink prior to the benefit.

Chapter 6

Returning to Work (paid employment)

When a member returns to work, which is classified as their paid employment in a full-time, part-time or casual basis WorkCover must receive the following:

- A doctors certificate confirming the members fitness for work
- Written communication that the member has returned to paid employment

NB: The member must advise WorkCover immediately of their return to work, to reduce the chance of over payment, which will be recovered by WorkCover.

Returning to Surf Life Saving Duties (volunteer capacity)

Whilst a member may be deemed fit to return to work, a clearance must also be issued by the doctor to resume normal duties as an active Surf Lifesaver. This is due to the fact that the general Life Saving environment can be significantly different to that of a members work environment.

Once a member has been give medical clearance by the doctor to return to Surf life saving duties and the claim has been closed by WorkCover Queensland, the member will be removed from restricted duties.

NB: It is important to note that until the claim has been closed and the SLSQ Medical Clearance Form has been received by SLSQ, the member will remain on restricted duties and will not be able to complete any lifesaving activities.

Conclusion

The aim of this guide was to highlight the process and benefits available to SLSQ Members, as well as their responsibilities in terms of WorkCover.

If there are any further question from this guide, it is advisable to contact your relevant Branch Administrator or Surf Life Saving Queensland on 07 3846 8000.