



Australian Government

Comcare

Claiming Workers' Compensation

Fact Sheet 51

What you should expect from Comcare and your employer

Comcare's role

We will work with your employer in accordance with the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) to reduce the number and impact of workplace injuries or illnesses.

We will work with you and your employer if you have been injured or are ill as a result of your employment, to keep you at work if it is safe to do so or to safely and quickly return you to work.

Comcare's responsibilities

We will, to the best of our ability:

- give you and your employer information and advice to minimise the effects of any workplace injury or illness (so you can stay at or get back to work, where possible and appropriate, quickly and safely)
- make accurate and timely decisions on compensation claims.

Comcare's standards of service

We will:

- be courteous and helpful
- treat you fairly and abide by the principles of natural justice
- respect your privacy in accordance with the Privacy Act 1988

- respond to your written requests for information about your claim within one month of receipt. Where this is not possible, we will notify you of the reasons for any delay within this time
- respond to your telephone enquiries within one working day of the enquiry
- make accurate and timely decisions. Comcare will generally determine a claim within ten working days of receipt of all the necessary evidence. Comcare will keep you informed about the progress of your claim and of any reasons for delays.
- in accordance with our obligations, give you clear reasons for decisions made on your claim and advise you about what to do if you disagree with our decision on your claim
- promptly pay reasonable benefits on accepted claims
- make it easy for you to communicate with us about your claim.

Your employer's role

Following a workplace injury or illness, your employer's role is to:

- assess your needs and direct you to the necessary and appropriate support and assistance
- should you have time off work, support you in returning to work quickly and safely.

Your employer's responsibilities

Your employer's responsibilities are to:

- make all reasonably practicable changes to your workplace to minimise the chance of further injuries or accidents and to assist you in your rehabilitation to remain at work or to achieve an early and safe return to work
- where necessary, nominate a case manager as soon as possible to provide you with assistance to remain at or to return to work,
- provide you with information about Comcare's services, including all the relevant forms and procedures
- provide Comcare with accurate, timely and complete information about your claim
- maintain confidentiality in relation to your claim
- inform you of your rights and responsibilities in regard to your claim.

Your rights

You have a right to:

- your entitlements under the SRC Act
- confidentiality
- access documents that relate to your claim
- seek a reconsideration of certain determinations as specified in the SRC Act.

Your role

Your role is to:

- promptly report to your employer details of any accident, injury or disease that might be related to your work
- co-operate with your employer, (case manager) and any approved rehabilitation provider to remain at work or to facilitate a safe and early return to work if this is possible in your case.

Your responsibilities

Your responsibilities are to:

- provide Comcare with timely, accurate and complete information about your claim, including the provision of initial and ongoing evidence to support your claim
- advise Comcare, as soon as possible, of any changes in your circumstances eg. if you recover from your injury or illness, take other work or change address
- participate actively in any program agreed to with your employer (case manager) and approved rehabilitation provider to help you to stay at or return to work - (under the SRC Act, failure to meet the above responsibilities may affect your claim for compensation).
- where relevant, implement any professionally recommended and agreed changes to your work practices, workplace environment and/or home environment in consultation with your employer to minimise the chance of further injuries or accidents
- be courteous to Comcare staff.

This service charter was developed in consultation with injured employees, employers, staff associations, professional groups and Comcare staff. The charter was developed in 1998 and revised in March 2001, January 2002 and May 2005.

We welcome your feedback on how we may improve our service to you. Please call us on 1300 366 979 to discuss or write to us at:

GPO Box 9905, Canberra ACT 2601.

For more information about Comcare, visit our website at www.comcare.gov.au

TIS information

If you need an interpreter or teletypewriter, phone the Translating and Interpreting Service on 13 14 50.