



A best practice model for workplace incident support

Recommendations for reform from the Victorian
Workplace Incidents Consultative Committee

15 November 2022

This page is intentionally left blank.

We acknowledge Aboriginal and Torres Strait Islander peoples as the First Australians and the Traditional Custodians of country throughout Australia. We pay our respect to Elders past, present and emerging, who maintain their culture, country and spiritual connection to the land, sea and community.

We acknowledge and pay our respects to those killed and injured at work. We recognise the ongoing impact of these events on them and their loved ones. Every worker deserves to come home alive and well, both physically and mentally. We honour the dead and continue to fight for the living.

Disclaimer:

*Nous Group (**Nous**) has prepared this report for the benefit of the Victorian Workplace Incidents Consultative Committee (the **Client**).*

The report should not be used or relied upon for any purpose other than as an expression of the conclusions and insights of Nous, to the Client as to the matters within the scope of the report. Nous and its officers and employees expressly disclaim any liability to any person other than the Client who relies or purports to rely on the report for any other purpose.

Nous has prepared the report with care and diligence. The conclusions and recommendations given by Nous in the report are given in good faith and in the reasonable belief that they are correct and not misleading. The report has been prepared by Nous based on information provided by the Client and by other persons. Nous has relied on that information and has not independently verified or audited that information.

Contents

Executive summary.....	3
1 Introduction and context.....	10
2 Victoria’s support model does not meet the needs of affected people and further accountability is needed	12
3 Opportunities for reform	19
Opportunity 1 Develop a Family Support Officer position for bereaved family members	20
Opportunity 2 Establish a support officer role for injured workers	24
Opportunity 3 Improve information sharing between WorkSafe and affected persons	28
Opportunity 4 Create a ‘no wrong door’ approach for families, workers and co-workers to seek supports they need	30
Opportunity 5 Establish a centralised web portal to track claims and manage information received through the journey.....	32
Opportunity 6 Develop employer guidance and training materials to support co-workers.....	34
Opportunity 7 Improve capture of up-to-date emergency contact details to reduce delays in notification.....	37
Opportunity 8 Develop clear policies between Victoria Police, other agencies and employers to ensure immediate, trauma-informed notification	39
Opportunity 9 Provide access to financial counselling for families and injured workers	41
Opportunity 10 Increase access to counselling services	43
Opportunity 11 Establish independent critical incident response service for co-workers.....	47
Opportunity 12 Fund peer networks to strengthen existing support channels for injured workers and families.....	50
Opportunity 13 Increase access to legal advice and assistance.....	52
Opportunity 14 Strengthen access to legal representation during coronial inquest	54
Appendix A Future state journey maps for all cohorts	56
Appendix B Literature review executive summary.....	67
Appendix C Issues in the broader post-incident system.....	70
Bibliography.....	72

Foreword

The current model of support following a work-related death or serious injury in Victoria is not working. Families do not receive adequate support and must navigate a system which retraumatises them. Seriously injured workers and their families face a system that often causes more harm due to its adversarial and unsupportive nature. Co-workers of those killed and injured on the job are barely supported at all.

The Workplace Incidents Consultative Committee (WICC) is proud to present this report to the Minister for Workplace Safety. It has been created by lived experience, for lived experience, to provide the right support to prevent further harm. It provides clear evidence-based guidance on the urgent need to reshape the response to workers, co-workers and families after a workplace serious injury or death.

The WICC members have lived the reality of workplace death and injury. We also have broader experience and skill sets which we bring to this work. The WICC identified that there had been many reports, inquiries and studies across jurisdictions which have made recommendations and findings, often repetitively. Unfortunately, our experience is that there has been little change. The WICC set out to synthesise and consolidate these prior works and recommendations by way of a Literature Review and to create this Best Practice Model for Workplace Incident Support.

An investment in appropriate supports following a workplace injury or death will pay dividends in reducing the significant financial burden which follows such events. The often 'hidden', but nevertheless real, economic impact reverberates through our entire community: the health system, social services, reduced economic productivity and social contribution. The impact of this extends beyond the individual and is multi-generational.

The WICC is pivotal to the successful implementation and ongoing monitoring of this Best Practice Model for Workplace Incident Support. It must be those with lived experience who advise on the needs of victims and families of workplace incidents. This can only be achieved through consultation, continuous feedback, meaningful accountability, and oversight by those who have walked the journey themselves.

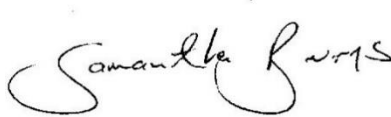
Workers and their families must be supported in their greatest moment of need. We believe that this model will reduce the secondary harm inflicted upon the victims of workplace incidents as well as assist them in understanding and executing their rights. Committing to best practice support of victims is the right thing to do.

The WICC looks forward to working with the Victorian Government to fully implement this Best Practice Model for Workplace Incident Support.



Dr Lana Cormie

WICC Co-Chairperson



Ms Samantha Burns

WICC Deputy Co-Chairperson

Members

Dr Lana Cormie – Non-Government Co-Chairperson and Lived Experience Member

Lana currently works in OHS Training and Support. Her background includes work as a Veterinary Surgeon and in Animal Welfare. Lana's husband, Charlie Howkins, was one of two men killed in the Delacombe Trench Collapse while working for Pipecon Pty Ltd. Since 2018, Lana has been an active advocate for workplace safety reform. She brings significant experience to the WICC as a previous member of the Families Reference Group Interim Committee (FRG) and the Workplace Manslaughter Implementation Taskforce (Taskforce), as well as bringing relevant OHS qualifications and professional experience.

Ms Bronwyn Halfpenny MP – Government Co-Chairperson

Bronwyn is the State Member for Thomastown in Victoria's Legislative Assembly and has been the Parliamentary Secretary for Workplace Safety since June 2020. Before entering Parliament, Bronwyn worked as the Secretary of Australian Manufacturing Workers' Union Food and Confectionary Division, and as the Industrial Officer at Victorian Trades Hall Council. These roles provided hands-on experience of workplace safety legislation and how the system supported people injured at work. She was also chair for the inquiry into the CFA Training College at Fiskville and co-chair of the Victorian Government's Ministerial Taskforce on Workplace Sexual Harassment.

Ms Samantha Burns – Deputy Non-Government Co-Chairperson and lived experience member

Samantha's brother, Shaun Burns, was killed at work in September 2018 when a crane failed, dropping concrete on him and another worker. She brings to the WICC strong advocacy experience as an FRG member and is motivated to improve compensation and support for close family members of persons killed in workplace incidents who are not dependents. As a Clinical Neuropsychologist, she also has experience seeing the issues that arise for workers and families following a serious injury.

Dr Sarah Anderson – Lived experience member

Sarah lost the use of her left arm after suffering a workplace injury in 2004. She has firsthand experience of returning to work following an injury. She has completed a PhD examining workplace injuries and contributes valuable professional skills to the WICC, including strong board, leadership and healthcare experience, along with knowledge of regulatory systems and research and evaluation skills.

Mr Dave Brownlee – Lived experience member

Dave's son, Jack Brownlee, was killed in the Delacombe trench collapse, along with his friend Charlie Howkins in March 2018 while working for Pipecon Pty Ltd. Dave has significant experience with WorkCover processes and was a member of the FRG and Taskforce.

Mr Neil Kermeen – Lived experience member

Neil's son, Jake, died in a trench collapse in East Cranbourne in 2015 while working as a labourer for R.S. Connell and Sons Pty Ltd. He has experience providing constructive, well reasoned advice as a member of the FRG. He also adds the perspective of being an employer and is passionate about the prevention of workplace deaths and serious incidents.

Mr Francis Malek – Lived experience member

Francis suffered a serious hand injury in 2011 while working for an abattoir. He has also suffered psychological trauma as a result of the incident. In addition to his lived experience, Francis is an active member of the Sudanese community and provides support and education to Sudanese families and recent migrants. He brings a valuable perspective to the WICC on how the system can provide better support to people from migrant cultures.

Mr Elvis Martin – Lived experience member

Elvis Martin is a young leader who has overcome very difficult circumstances and inspires many with his advocacy for social justice. The recipient of awards such as Young Community Achiever of the Year 2021 (India Australia Business and Community Awards), Elvis has worked, volunteered and spoken publicly in many roles, addressing mental health, homelessness, family violence, workplace safety and LGBTIQ+ community issues. Elvis also sits on various community and government boards. He uses his platform, including a large social media following, to promote inclusion, diversity and equality for all.

Elvis is particularly passionate about:

- bringing a youth and multicultural lens to inform the WICC's work
- workplace safety for young people, including raising awareness around safety issues in the workplace and making sure employees and employers understand their respective rights and obligations
- advocating for better support to victims of sexual assault, bullying and harassment.

Ms Catherine Mok – Lived experience member

Catherine's partner, Helen, died by suicide while working as a paramedic with Ambulance Victoria. Prior to her death, Helen suffered musculoskeletal injuries over a 16-year period and struggled with mental health issues related to her job. Catherine has experience with different aspects of the WorkCover system and court and coronial inquest processes. She contributes to the WICC the unique perspective of being impacted by a workplace suicide and also brings lived experience as a member of both the CALD and LGBTIQ+ communities.

Mrs Bette Phillips-Campbell – Lived experience member

Bette's son died in 1991 after being electrocuted while working as an apprentice. In the 30 years that have passed since the incident, Bette has made a significant contribution to workplace safety reform as a member of the FRG and also contributes strong experience working with families affected by workplace fatalities as a counsellor for GriefWork, Uniting. She also brings a regional perspective to the WICC.

Ms Annmarie Saffin – Lived experience member

Annmarie is the carer for her husband, Mark, who sustained serious injuries in 2015 when an elevated work platform he was on fell from 11 meters. Mark suffers ongoing secondary mental health and physical injury as a result of his accident. Annmarie offers the WICC the unique perspective of being a caregiver who has had to navigate the system on behalf of her husband. She has more than 20 years' experience working in public health as a Clinical Nurse Consultant and currently works in a management role within the local government sector.

Mr Ralph Snider – Lived experience member

Ralph suffered pain in his forearms resulting in a chronic pain condition while working as a Senior Analyst Programmer in 1992 and suffered a recurrence in 2004. His lived experience managing a long-term injury ultimately led him to change careers in 2005 to become a Disability Employment Consultant. He subsequently worked as a Vocational Consultant in the Occupational Rehabilitation Industry assisting people on WorkCover and Traffic Accident Commission cover to find work. He completed a Graduate Diploma in Careers Education and Development in 2010 and a Feldenkrais Training program in 2001.

Mr Michael Stone – Lived experience member

In July 2020, Mick's workmate was fatally crushed in a workplace incident whilst working at an engineering facility. In 2019 he lost his mate to a farming incident that occurred on his mate's own property. Mick's mother-in-law is a partial paraplegic from a workplace incident. Mick brings to the WICC the unique perspectives of being affected by a farm fatality, experiencing the impacts on mental health in his workplace as well as understanding issues for those with life changing injuries. Mick has experience with ComCare, working in a supervisory role and as a Health and Safety Representative.

Mr Brett Struhs – Lived experience member (WAC observer)

Brett's son, Kyle, died in November 2018 from head injuries sustained falling from a ladder while installing solar panels for Solar 2.0. He brings valuable experience from being an FRG member, has experienced the whole WorkCover process from death to court case and brings a regional perspective to the WICC.

Mr James Wood – Lived experience member (OHSAC observer)

James was seriously injured in a workplace incident that resulted in him being paraplegic. He is a prominent lived experience workplace health and safety advocate and established CNBSafe, a safety information and training consultancy that connects injured workers as safety speakers at workplaces to share their "real life" experiences with both employees and employers.

Executive summary

Workplace incidents and fatalities impose significant stress and trauma on families, injured workers and co-workers and have wide-ranging psychological, social and economic impacts that require targeted support. Affected persons in Victoria currently do not receive the support they require post incident. Despite recent reviews which highlight issues and shortcomings in Victoria's support model¹, families, injured workers and co-workers continue to experience gaps in support which cause ongoing harm following a serious incident or workplace death.

The Victorian Workplace Incidents Consultative Committee (WICC) is committed to improving the model for support in Victoria for families, injured workers and co-workers by providing the Minister for Workplace Safety advice on changes that should be made. Nous Group (Nous) was engaged to support the WICC to develop an evidence-based best practice support model for families, workers and co-workers to advise the Minister.

A comprehensive literature review and consultations with experts and those with lived experience identified that a best practice support model is **person-centred, independent, flexible and embeds accountability**. A best practice support model provides all affected persons with: appropriate notification, as immediately as possible; consistent, clear information and updates; an independent central contact point end-to-end; accessible and tailored wellbeing supports; peer-to-peer support opportunities; independent, individual advocacy; and opportunities to shape and influence meaningful system change.

When Victoria is compared to the features of a best practice support model, it is clear its current support model does not meet the needs and expectations of families, injured workers or co-workers. In response, the WICC have developed, tested and iterated 14 reform opportunities to bring Victoria in line with best practice. Each opportunity for reform is evidence based and reflects the lived experience of WICC members. Figure 2 illustrates the full suite of reform opportunities.

Implementation of this reform program will **substantially shift Victoria's current approach to supporting affected persons** and require engagement and investment from government departments, agencies and other key stakeholders. The reform program recognises the change Victoria has undertaken so far to improve the experiences of families, injured workers and co-workers. Some of the reform opportunities go to **strengthening and improving on the efforts that are underway**. Other reforms, however, **acknowledge significant gaps in the model and look to introduce new services and support mechanisms**.

The 14 reform opportunities have, therefore, been mapped across three horizons to acknowledge that some can begin to be operationalised straight away and others may require further consultation and/or legislative change. The three horizons are broadly defined in Figure 1 below. To ensure accountability for the implementation of each reform opportunity, the WICC should be actively involved in and consulted on their progress. Feedback mechanisms to ensure continuous improvement and ongoing accountability should also be considered in the implementation of all reform opportunities.

¹ Previous reports outline the profound complexity of the post workplace incident system. This includes the Victorian Ombudsman's inquiries into the management of complex workers' compensation claims in 2016 and 2018, the 2021 independent review of the Victorian workers' compensation system (Rozen report) and the 2018 Senate inquiry into industrial deaths.

Figure 1 | Horizons and implementation considerations for the reform program



We understand that a support model is only one factor in the post-incident journey for families, injured workers and co-workers that can negatively affect their experience and prolong the trauma and grief that follows. There are fundamental issues with the current regulatory system that contribute to poor outcomes for affected persons. The WICC has been clear that issues relating to the compensation system and the WorkSafe investigation process also need to be addressed to limit secondary harm and create a truly person-centred, trauma-informed system.

Implementation of all reform opportunities is necessary for Victoria to work towards a truly person-centred, trauma informed model. **Three reform opportunities, however, should be prioritised for implementation because they will have the largest impact on improving the experiences of affected people, increasing wellbeing support and assisting in navigating complexity.** These are:

- Opportunity 1 | Develop a Family Support Officer position for bereaved families
- Opportunity 2 | Establish a support officer role for injured workers
- Opportunity 3 | Improve information sharing between WorkSafe and affected persons

Figure 2 | Reform opportunities for post-incident support in Victoria

	SUB-FEATURE	REFORM OPPORTUNITY	AFFECTED PERSONS		
			FAMILIES	INJURED WORKERS	CO-WORKERS
Information and system navigation support	Independent, central contact point from end-to-end	1. Develop a Family Support Officer position for bereaved family members	●		
		2. Establish a support officer role for injured workers		●	
	Consistent, clear information and updates	3. Improve information sharing between WorkSafe and affected persons	●	●	
		4. Create a 'no wrong door' approach for families, workers and co-workers to seek supports they need	●	●	●
		5. Establish a centralised web portal to track claims and manage information received through the journey	●	●	
		6. Develop employer guidance and training materials to support co-workers		●	●
	Immediate and appropriate notification	7. Improve capture of up-to-date emergency contact details to reduce delays in notification	●	●	
		8. Develop clear policies between Victoria Police, other agencies and employers to ensure immediate, trauma-informed notification	●	SEE OP. 6	SEE OP. 6
Wellbeing support	Accessible and tailored practical and wellbeing supports	9. Provide access to financial counselling for families and injured workers	●	●	
		10. Increase access to counselling services	●	●	●
		11. Establish independent critical incident response service for co-workers			●
	Peer-to-peer support opportunities	12. Fund peer networks to strengthen existing support channels for injured workers and families	●	●	
Advocacy support	Independent, individual advocacy	13. Increase access to legal advice and assistance	●	●	
		14. Strengthen access to legal representation during coronial inquest	●		
	Systemic advocacy	Many of the above reforms will improve avenues for systemic advocacy in Victoria, although there is no reform specific to this sub-feature.*	●	●	●

ANTICIPATED OUTCOMES OF AN IMPROVED SUPPORT MODEL FOR AFFECTED PERSONS

Instances of secondary harm and trauma from the system are significantly reduced.

All affected persons can access supports that enable them to grieve and/or recover in a way that suits their needs.

All affected persons understand their rights and obligations, can advocate for themselves and are empowered to influence systemic change.

* Reform opportunities 6, 7, 8, 12, 13

Structure of this report

The report is structured around the following chapters:

- [Chapter 1](#) outlines the project context, background and aim of this report. It also, in brief, describes other, structural issues with the post-incident system that cause poor outcomes for families, injured workers and co-workers which are not within scope of the support model.
- [Chapter 2](#) provides an overview of the findings from the literature review and describes how Victoria's current support model does not meet best practice. It also presents the economic and social case for why investment in a best practice support model is required, and the cost incurred where families, injured workers and co-workers are not supported.
- [Chapter 3](#) sets out, in detail, the 14 opportunities for reform. These are broken up into three groupings: opportunities to strengthen navigation and system supports, opportunities to strengthen wellbeing supports and opportunities to strengthen advocacy supports. Within each opportunity we detail: the description of reform, the rationale for reform, and any specific implementation factors that should be considered. This chapter makes up the bulk of this report.

1 Introduction and context

The Victorian Workplace Incidents Consultative Committee (WICC) is established under the *Occupational Health and Safety Act 2004 (Vic)* (OHS Act) as part of the Victorian Government's commitment to strengthening the voice of Victorians who have been affected by serious workplace incidents or death.

A range of previous reviews and reports have drawn attention to the suffering experienced by families, injured workers and co-workers following a serious workplace incident or death. Shortcomings in Victoria's post-incident support model are a contributing factor to poor experiences and secondary trauma. Nous Group (Nous) was engaged by the Department of Justice and Community Safety (DJCS, or the Department) on behalf of the WICC to synthesise the findings of previous reviews and reports and assist the WICC to develop practical and implementable recommendations for the Minister for Workplace Safety on what a best practice model for trauma-informed, person-centred post incident support looks like and how Victoria can work to deliver this model. This chapter outlines the context and framing for this report.

1.1 The aim of this report is to present a set of significant and implementable reforms

This report outlines opportunities for reform to develop a person-centric, trauma-informed support model, that does no further harm, in Victoria. The report:

- Describes a framework for support that aligns with best practice.
- Makes the case for why reform is needed to improve support to affected persons.
- Sets out 14 opportunities for reform including a rationale and implementation considerations.

The reform opportunities are described in detail in Chapter 3 of this report.

1.2 Report findings are underpinned by an evidence-based literature review and WICC engagement

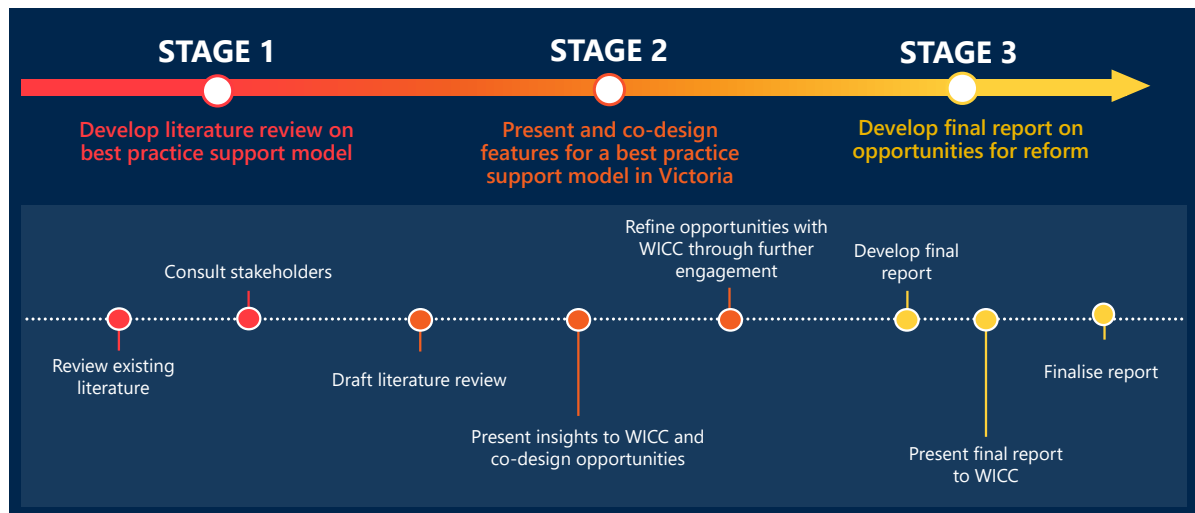
In July, Nous provided the WICC and the Department a literature review that detailed a best practice support model for families, injured workers and co-workers following a serious incident or death. Drawing from grey and academic literature, stakeholder consultation² and good practice examples, the review outlined a framework for support with a set of well-defined principles, features, sub-features and system supports. It also provided a clear picture of the current arrangements in place for supporting families, injured workers and co-workers in Victoria and where those arrangements did not reflect best practice. Appendix B provides the executive summary of the findings from the literature review.

Nous then worked alongside the WICC through multiple workshops and one-on-one consultations to develop, test and iterate a suite of reform opportunities to realise a best practice support model in Victoria. This report is the outcome from the literature review and WICC engagement and sets out 14 opportunities for reform that are evidence based and reflective of lived experience. Consultation on the

² Stakeholders engaged in the literature review include: WorkSafe, compensation agents, Victoria Police, Transport Accident Commission, injured workers, Coroners Court, Unions, QLD consultative committee for work-related fatalities and serious incidents.

reform opportunities with agencies responsible for implementation was not part of this project. An overview of the methodology is provided in Figure 3.

Figure 3 | Project methodology



1.3 Gaps in the support model is one component of a larger system that contributes to poor experiences and harm

A best practice support model can help how one navigates and experiences the processes and agency interactions that follow a serious incident. However, fundamental structural issues with the workplace health and safety system cause additional stress and trauma and contribute to poor outcomes. Reliance on the support model would be reduced if the system itself were improved. While not a comprehensive list, the following system issues cause stress and harm to affected persons and have been consistently raised during this project:³

- Financial assistance to access counselling (and the scope of counselling supports available) for bereaved families and the family members of injured workers is not sufficient.⁴
- The role of Independent Medical Examiners (IMEs) and surveillance in the compensation process can cause additional trauma to affected persons.
- Limitations in the Return-to-Work model, specifically access to retraining and volunteering programs.
- Compassionate leave entitlements are insufficient, and it is not always available for family members (outside of immediate family members) or co-workers.
- The WorkSafe investigation and prosecution process is a source of significant additional trauma, particularly where there are delays, where families do not feel heard and where the events of the incident are not properly established and communicated.
- There is a lack of accountability to implement coronial recommendations.
- There is a lack of accountability for implementing change and deterring further unsafe behaviour following a workplace incident.

³ Further detail on these issues can be found in Appendix C.

⁴ Compensation arrangements are currently under review as announced in the Families and Injured Workers Reform Package in 2019.

2 Victoria’s support model does not meet the needs of affected people and further accountability is needed

This chapter describes the framework for a support model and sets the future vision for how Victoria should support families, injured workers and co-workers following a serious workplace incident. It also outlines gaps in Victoria’s current support model, and the social and economic need for reform.

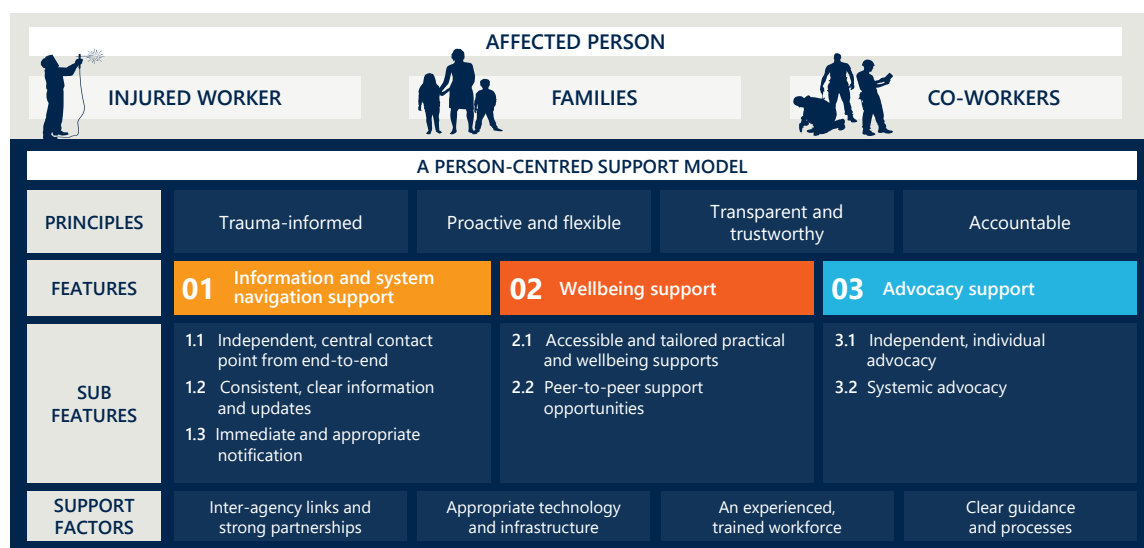
2.1 Victoria’s support model should be person-centred, independent and embed accountability

No one person will have the same experience post-incident or require the same level of support. Victoria’s model for support following a serious incident or workplace death needs to be inherently person-centred and reflect the needs, strengths and interests of the individual. Figure 4 illustrates the framework for a support model that Victoria should aspire to. The framework comprises:

- Guiding principles which demonstrate how supports, services and information should be designed and operate across the whole support model.
- Key features and sub-features which detail the supports and services that should be accessible and available to families, injured workers and co-workers. The sub-features are interconnected, and many will reinforce all three features illustrated in the visual below.
- Several supporting factors that are needed to effectively operationalise features and sub-features.

Each of the components of the framework is described briefly below.

Figure 4 | Support model framework



2.1.1 Victoria's support model should be guided by four principles

All services, supports and interactions with affected persons should be guided by the following principles:

- **Trauma-informed** | The primary goal of trauma-informed support is to recognise, conceptualise and respond to symptoms of trauma in how services are provided, and information is communicated.⁵ All interactions, communications and information provided to individuals post incident should understand how trauma may affect a person's life, recognise the signs and symptoms of trauma, know how to respond and resist re-traumatisation.⁶
- **Proactive and flexible** | Integral to a person-centred model is one where the level of support can be stepped up or stepped down depending on the needs of the individual.⁷ This requires the system to embed processes for individual needs assessments which consider the whole of the individual⁸ – health and wellbeing, psychological factors, incident, family dynamics – when delivering supports.⁹ A proactive and flexible model also provides affected persons with the right tools (such as clear and accessible information) to self-manage and know where to access further supports.
- **Transparent and trustworthy** | A transparent support model is one where information and communication is clearly communicated to affected people and widely accessible. Transparency also means the model is equitable. That is, access to supports and services are not limited to those who are 'in the know'. Instead, referral pathways are well understood, and eligibility criteria made clear and public. When the system is perceived as transparent by the individuals in it, there is a level of trustworthiness which is a critical component of trauma-informed support.¹⁰
- **Accountable** | Supports and services provided should be delivered as per the policies and intended practice. Where practice falls short, there should be clear mechanisms throughout to hold people and systems to account. Where accountability mechanisms exist, they need to be communicated and transparent. Accountability enables affected persons to have trust in the model and to take action when it falls short. It embeds a process of continuous improvement.

2.1.2 The model should embed three features into its services and support mechanisms

This section describes, in brief, the features and sub-features of a support model that should be embedded in Victoria.

Information and system navigation supports

A support model should reduce the complexity and stress that comes from the regulatory processes that follow a serious incident or workplace death. This includes through:

- **An independent central contact point from end-to-end** | An independent contact point can help to navigate different processes and provide a consistent touchpoint to individuals throughout their journey.¹¹ A central contact point should be more than a source of information and updates. They can assist in identifying support needs, completing service referrals and advocating for the rights of

⁵ Menschner, C. and Maul, A. (2016). Key Ingredients for Successful Trauma-Informed Care Implementation. Accessed at: [\[Link\]](#).

⁶ Centre for Innovative Justice (2020). Improving support for victims of crime: key practice insights. Accessed at: [\[Link\]](#).

⁷ Ibid.

⁸ Centre for Innovative Justice (2020). Strengthening Victoria's Victim Support System: Victim Services Review Final Report. Accessed at: [\[Link\]](#).

⁹ Rozen, P. (2021). A review of WorkSafe Victoria's management of complex workers' compensation claims, p. 16. Accessed at: [\[Link\]](#).

¹⁰ Ibid.

¹¹ Lynda Mathews previously recommended that experienced individuals who are qualified to work with bereaved people, be funded in each jurisdiction or nationally, to provide information and support to families through the formal processes.

affected persons in the system. The WICC are clear that central contact points must be '*independent but well connected*' to the regulatory system to effectively advocate and provide support. Application of this feature is reflected in [Opportunity 1](#) and [Opportunity 2](#).

- **Consistent, clear information and updates** | Affected persons want access to clear and complete information following a workplace incident. This includes information on what happened and what will happen next and one's rights throughout the process. Access to appropriate information can reduce instances of distress and promote a sense of security and control for affected persons over a complex process.¹² Application of this feature is reflected in [Opportunity 3](#), [Opportunity 4](#), [Opportunity 5](#) and [Opportunity 6](#).
- **Appropriate notification** | There is no 'good' way to be informed that a loved one has passed, or been seriously injured at work.¹³ However, the process for notifying a loved one should begin immediately by trauma-informed, trained individuals. Application of this feature is reflected in [Opportunity 7](#) and [Opportunity 8](#).

Wellbeing supports

The support model should increase access to formal and informal support mechanisms that can assist affected persons to improve their quality-of-life post incident. This includes through:

- **Accessible and tailored wellbeing supports** | Those affected by a workplace incident should have access to supports that are tailored to their individual needs and, where possible, help to relieve the stress and trauma of the experience. Wellbeing supports are broadly defined and may include clinical services (such as psychological supports) and other non-clinical support services. It is not practical or appropriate that the model directly delivers all support needs, but it should be designed so that clear referrals to appropriate services occur proactively and that barriers to access (such as stigma, geographical location and/or financial cost) are reduced. Application of this feature is reflected in [Opportunity 9](#), [Opportunity 10](#) and [Opportunity 11](#).
- **Peer-to-peer support opportunities** | The support model should provide access to programs that enable individuals to connect to others with similar experiences, and which provide emotional and social support, encouragement and help. There is no one approach to the development of a peer-to-peer support program. They may include in-person one-on-one interactions, structured group meetings, unstructured social catch ups, or connections through social media. These programs complement formal support services by providing first-hand information that is practical and highly valued by affected persons.¹⁴ Application of this feature is reflected in [Opportunity 12](#).

Advocacy supports

Avenues for advocacy assist affected persons in actively engaging and navigating post incident systems and processes and having their voices heard. This includes through:

- **Independent, individual advocacy** | The support model should provide mechanisms for individuals to have a voice, and advocate for their rights and needs. Advocacy can come from formal organisations, such as union representatives, lawyers and community associations and there should be clear avenues to access different forms of advocacy across a person's journey post-incident. Access to legal advice and assistance forms part of individual advocacy. Application of this feature is reflected in [Opportunity 13](#) and [Opportunity 14](#).

¹² Braaf, S. et al. (2020). Traumatic injury survivors' perceptions of their future: a longitudinal qualitative study. Accessed at: [\[Link\]](#).

¹³ Rozen, P. (2021). A review of WorkSafe Victoria's management of complex workers' compensation claims, p. 16. Accessed at: [\[Link\]](#).

¹⁴ Nous Group (2020). Jurisdictional arrangements for providing support to families affected by an industrial death – Comparative analysis report. Accessed at: [\[Link\]](#).

- **Systemic advocacy** | Systemic advocacy (or systems advocacy) involves working to change legislation, policies and practices to reduce instances of workplace death and serious incidents and improve post-incident systems and supports. For some affected persons, reform in the laws and policies can be something positive that comes from the experiences of workplace death and serious injury. A model of support should enable all affected persons to have opportunities to participate in systemic advocacy and provide mechanism for feedback that inform policy change.

2.1.3 Supporting factors help implement a best practice support model

Each of the features described above will only effectively support families, injured workers and co-workers where the system and agencies are appropriately trained, with strong inter-agency links, guidance and technological infrastructure. In practice, this requires:

- **An experienced, trained workforce** | the right people are foundational to the delivery of a best practice support model that is trauma-informed and person-centred.
- **Inter-agency links and strong partnerships** | a well-coordinated system with strong inter-agency relationships can efficiently guide people to the level of support they need and reduce instances of those receiving either too much or too little support.
- **Appropriate technology infrastructure** | technology can break down existing siloes between agencies and other stakeholders and improve the way services operate together to provide person-centred support.
- **Clear guidance and processes** | these are necessary to support an appropriately skilled workforce and a well-coordinated system.

The role of these supporting factors to implement the features and sub-features above are considered in each of the opportunities described in Chapter 3.

2.2 Victoria's current support model has critical gaps

There are gaps between the current supports and services delivered in Victoria and the articulation of best practice supports outlined in the literature review. For some cohorts (namely, injured workers and bereaved families) the Government has committed to improving their experience and access to supports. However, those with lived experience are clear that these reforms have not gone far enough, and that the support model continues to fall short of meeting the needs of affected persons. The following issues have been raised in this review:

- **There remain gaps in supports for families despite recent investment.** The Victorian Government committed \$10 million to increase the support available to workers and families who have been affected by serious workplace incidents and strengthen workplace safety laws. Initiatives funded through this package include expansion of the WorkSafe Family Liaison Officers (FLOs), development of new resources, protocol updates between Police and WorkSafe and the introduction of Bereavement Support Services.¹⁵ However, families continue to note shortcomings in their interactions with WorkSafe and the supports provided across the system. The experience of some WICC members found that WorkSafe's FLOs do not always adequately provide information or updates and keep families actively involved in the investigation and prosecution process. There are also few avenues for independent advocacy and barriers remain to accessing formal and non-formal wellbeing supports.

¹⁵ WorkSafe (2022). Information and support. Accessed at: [\[Link\]](#).

- **Injured workers still face an adversarial system despite proposed reforms by Rozen.** The Government has accepted, or accepted in principle, a number of recommendations from Rozen that will substantially reform Victoria's WorkCover model. If implemented, these recommendations will align WorkSafe and its agents to a model where injured workers are assessed and supported using a biopsychosocial approach.¹⁶ If WorkSafe were to substantially change its approach as per Rozen, the reliance on supports and services outside of the compensation system would be reduced. In the meantime, the current model remains overly complex and adversarial and injured workers require a strong independent support model to address these issues. As of now, almost no supports are provided to injured workers and their families that are not tied to their claim, and which can be accessed immediately post-incident.
- **There are almost no supports available for co-workers and little research exists on their experiences and needs.** There is minimal formal research that exists concerning best practice supports for co-workers following a serious workplace incident. As a result, there is not a leading model for co-worker support around the world. Currently, Victoria relies on employers to engage and provide supports to co-workers following a serious workplace incident. Those with lived experience consider employer-engaged supports to be inappropriate in circumstances where there may be concerns around the culpability of the employer in the incident. In addition, not all employers have the resources or the knowledge to engage appropriate post-incident supports. In these scenarios, co-workers can be left with poor or no support following an incident.

Further, a significant gap across the whole system is accountability for all parties involved to provide the right support, in line with what is promised. Improvements in supports and policy changes do not reflect the experience of WICC members and what occurs in practice. Few accountability mechanisms exist to monitor support mechanisms and those who provide them. Where mechanisms do exist (i.e., complaints channels) they are not well understood or communicated to affected persons.

¹⁶ Victorian State Government (2022). Independent Review into Complex Workers' Compensation Claims Management: Victorian Government Response, recommendation 4. Accessed at: [\[Link\]](#).

2.3 There is a clear economic and societal case for reform

A traumatic event, such as a workplace incident, typically causes trauma to those involved. Workplace incidents present a risk of additional secondary trauma due to the complexity of the current system. Without the appropriate support, the system can cause ongoing physical and mental health risks which have broader social and economic costs.¹⁷ A well evidenced, best practice support model can assist in alleviating the ongoing harm and cost incurred following a serious workplace incident or death.

Affected persons risk ongoing stressors and mental health issues when navigating post-incident processes

People affected by a workplace incident or death are at heightened risk of secondary trauma leading to mental health and physical health conditions due to the complexity of the current system, and the need to navigate multiple regulatory processes. Research indicates:

- **The compensation process takes a functional, financial, and emotional toll on individuals.**¹⁸ Of note, injured workers experience feelings of isolation and frustration post-incident, and are more prone to developing secondary mental illnesses.¹⁹ A recent study of 1,010 Australian injured workers suggests that over 30 per cent of claimants suffer ongoing mental health concerns as a result of the process.²⁰
- **Workplace deaths have a prolonged economic, social and psychological impact on loved ones.** The death of a loved one or colleague has been associated with poor mental health outcomes, such as Post Traumatic Stress Disorder (PTSD), depression and anxiety.²¹ In addition, long-term exposure to regulatory processes, including coronial inquests and workers compensation claims, complicate the bereavement process for families and contribute to enduring health and financial ramifications.²²
- **Workplace injuries also have a direct and prolonged impact on the health of families.** A recent study investigating families of injured workers found that the likelihood of a family member being hospitalised increased by 31 per cent in the 3 months following injury.²³ The study found that the hospitalisation costs for families were significantly higher in this time, placing financial pressure on persons affected by workplace injuries.
- **Co-workers and members of the public who witness a workplace incident are left susceptible to the effects of psychological trauma and post-traumatic stress disorder.**²⁴ The effects of a workplace incident can result in absenteeism, poor presenteeism, task avoidance, employee conflicts, accidents or loss of motivation in the workplace.²⁵

¹⁷ Deloitte (2020). Evaluation of Comcare Early Intervention Service Pilot– Executive Summary. Accessed at: [\[Link\]](#); Matthews, L. R., Quinlan, M. G., Bohle, P. (2019). Posttraumatic Stress Disorder, Depression, and Prolonged Grief Disorder in Families Bereaved by a Traumatic Workplace Death: The Need for Satisfactory Information and Support. Accessed at: [\[Link\]](#).

¹⁸ Department of Veterans' Affairs (2019). Mental health impacts of compensation claim assessment processes on claimants and their families – Final Report. Accessed at: [\[Link\]](#)

¹⁹ Brijnath, B., et al. (2016). Is clinician refusal to treat an emerging problem in injury compensation systems?. *BMJ Open*, 6(1). Accessed at: [\[Link\]](#)

²⁰ Ibid.

²¹ Brooks, S., Rubin, J., Greenberg, N. (2019). Traumatic stress within disaster-exposed occupations: overview of the literature and suggestions for the management of traumatic stress in the workplace. *British Medical Bulletin*, 129(1), 25-34. Accessed at: [\[Link\]](#)

²² Matthews, L. R., et al. (2017). Death at Work: Improving Support for Families. Final Report. Accessed at: [\[Link\]](#)

²³ Asfaw, A., Pana-Cryan, R., and Bushnell P. T. (2012). Incidence and Costs of Family Member Hospitalisation Following Injuries of Workers' Compensation Claimants. *American Journal of Industrial Medicine*, 5(11), 1028-1036. Accessed at: [\[Link\]](#)

²⁴ Pearce, T., Bugeja, L., Wayland, S., Maple, M. (2020). Effective elements for workplace responses to critical incidents and suicide – A systematic rapid review of the literature. Accessed at: [\[Link\]](#)

²⁵ DeFraia, G. S. (2016) Workplace Disruption following Psychological Trauma: Influence of Incident Severity Level on Organisations' Post-Incident Response Planning and Execution. *International Journal of Occupational and Environment Medicine*, 7(2), 75-86. Accessed at: [\[Link\]](#)

There is an economic cost associated with prolonged mental health risks

The trauma, stress and risk of secondary mental health conditions experienced by workers, co-workers and families can have the following broad-ranging economic and societal costs:

- Reduced economic productivity due to unemployment or withdrawal from education.
- Ongoing costs associated with managing services including acute and long-term health services.
- Indirect costs on family – i.e., impacts on children.
- Informal care costs.
- Costs associated with future injuries and re-emergence of trauma-associated health conditions.

Deloitte and Safe Work Australia quantify that workplace incidents cost Victoria's economy an average of \$18 billion a year.²⁶ This includes indirect costs (i.e., loss of productivity and social and economic impact on family members), which are modelled to be seven times the amount of direct costs (i.e., hospitalisation costs).

In addition, Victoria is seeing a substantial increase in the number of mental injury claims, including secondary mental injury claims (where a mental injury occurs while recovering from a physical injury). Secondary mental health injury claims are, on average, a much larger cost to the system than the original physical claim. One recent study indicated the average cost of a claim with a secondary psychological condition is four times more costly than a primary psychological claim and likely to lead to three times more time off work.²⁷

A well evidenced, best practice support model can assist in alleviating the societal and economic costs which arise following a serious workplace incident or death. Early intervention and access to wellbeing supports can reduce instances of psychological injuries for injured workers by 30 per cent.²⁸ Having a high functioning, person-centred support model has been associated with a decreased risk of serious mental health conditions for bereaved family members.²⁹ Actively supporting family members and co-workers can also reduce instances of prolonged trauma and associated long-term engagement with health services, and reduced productivity.

²⁶ Deloitte Access Economics (2016). *Regulatory Impact Statement, Regulatory Impact for proposed Occupational Health and Safety Regulations 2017*. Accessed at: [\[Link\]](#).

²⁷ Deloitte (2019). *The cost of ignoring the mental health and wellbeing of your workforce*. Accessed at: [\[Link\]](#).

²⁸ Deloitte (2020). *Evaluation of Comcare Early Intervention Service Pilot– Executive Summary*. Accessed at: [\[Link\]](#).

²⁹ Matthews, L. R., Quinlan, M. G., Bohle, P. (2019). *Posttraumatic Stress Disorder, Depression, and Prolonged Grief Disorder in Families Bereaved by a Traumatic Workplace Death: The Need for Satisfactory Information and Support*. Accessed at: [\[Link\]](#).

3 Opportunities for reform

This chapter describes the opportunities for reform to strengthen Victoria’s model of support for families, injured workers and co-workers following a serious incident or workplace death.

There are 14 opportunities for reform to increase support for families, injured workers and co-workers following a serious incident or workplace death. Each opportunity seeks to embed the features of a best practice support model in Victoria: information and system navigation support, wellbeing support and advocacy support. The full suite of reform is illustrated in the visual below.

Figure 5 | Opportunities for reform

REFORM OPPORTUNITIES TO DELIVER A BEST PRACTICE SUPPORT MODEL	
<p>01 Information and system navigation support</p>	<p><u>Opportunity 1</u> Develop a Family Support Officer position for bereaved family members</p> <p><u>Opportunity 2</u> Establish a support officer role for injured workers</p> <p><u>Opportunity 3</u> Improve information sharing between WorkSafe and affected persons</p> <p><u>Opportunity 4</u> Create a ‘no wrong door’ approach for families, workers and co-workers to seek supports they need</p> <p><u>Opportunity 5</u> Establish a centralised web portal to track claims and manage information received through the journey</p> <p><u>Opportunity 6</u> Develop employer guidance and training materials to support co-workers</p> <p><u>Opportunity 7</u> Improve capture of up-to-date emergency contact details to reduce delays in notification</p> <p><u>Opportunity 8</u> Develop clear policies between Victoria Police, other agencies and employers to ensure immediate, trauma-informed notification</p>
<p>02 Wellbeing support</p>	<p><u>Opportunity 9</u> Provide access to financial counselling for families and injured workers</p> <p><u>Opportunity 10</u> Increase access to counselling services</p> <p><u>Opportunity 11</u> Establish independent critical incident response service for co-workers</p> <p><u>Opportunity 12</u> Fund peer networks to strengthen existing support channels for injured workers and families</p>
<p>03 Advocacy support</p>	<p><u>Opportunity 13</u> Increase access to legal advice and assistance</p> <p><u>Opportunity 14</u> Strengthen access to legal representation during coronial inquest</p>

3.1 Opportunities to strengthen information and navigation supports

The complexity of information and how it is shared causes harm to families, injured workers and co-workers. There are eight opportunities to strengthen navigation and information supports in Victoria: five to improve the support model for multiple cohorts, one to specifically support bereaved family members, one directed to injured workers and one to improve supports for co-workers.

Opportunity 1 | Develop a Family Support Officer position for bereaved family members

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Bereaved family members	1.1 Independent central contact point	Horizon 1 - 2	Victorian Government

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

Develop an independent Family Support Officer (FSO) position to assist bereaved family members from the day of incident, across the whole journey of investigation to prosecution, for as long as families require. This position should be independent but well connected to all relevant agencies.

Benefits

- Increase families' access to independent advocacy, assistance and wellbeing support across the whole journey.
- Provide families one consistent contact point across the journey and reduce the stress and anxiety of family members having to manage the engagement with multiple agencies on their own and re-tell their story.

Implementation considerations

Appropriate institutional governance arrangements would need to be determined to ensure independence and connection to relevant agencies and information. Options are described below, both of which will have implications for legislative change, workforce transition planning and organisational re-design. Further, implementation of the FSO will narrow the scope and role of the WorkSafe Family Liaison Officer (FLO).

The WICC should be actively involved and consulted in the implementation of the FSO position.

Reform opportunity

An independent Family Support Officer (FSO) should be allocated to bereaved family members from day one following a workplace death, until after investigations and other processes have concluded (if families require). The FSO should also provide practical and emotional wellbeing support.

The table on the following page outlines attributes and qualifications required for this role.

Table 1 | Role and functions of the FSO

Feature	Description
Relevant qualifications, work experience and knowledge	<ul style="list-style-type: none"> • Background in social work, psychology, allied health or other industry equivalent experience. • Demonstrated ability to liaise and collaborate with various stakeholders including police, regulatory agencies and allied health professionals. • Detailed understanding and/or experience of the WorkSafe investigation and compensation process, including experience working in a similar legal environment and reviewing legal documents. • Demonstrated experience interacting with families with lived experience of a workplace fatality and understanding the physical and psychological effects of traumatic death, which may include having lived experience.
Core functions	<ul style="list-style-type: none"> • Provide ongoing support and be available for families to ask questions and seek assistance. • Provide support to families in managing administrative and practical challenges, as they require. • Conduct wellbeing check ins to assess the needs of families in a holistic manner and facilitate warm referrals to appropriate support services. • Act as a conduit between family members and regulatory agencies to provide updates and information on investigation, compensation claims and other processes. This may also include working directly with other liaison officer positions in the system including the Coronial Liaison Officer. • Attend engagements between agencies and the family, acting as an advocate and support to family members. • Work with agencies to facilitate information sharing and organise families to meet directly with agency representatives to ask questions and seek information. • Assist families in making complaints or enquiries where they have concerns about existing processes. • Assist families to provide feedback to services and agencies and contribute to continuous improvement • Communicate in a trauma-informed and respectful way when interacting with family members.

The type and regularity of contact between the FSO and family members should be determined as per the needs of the family members. The introduction of the FSO also requires clear accountability mechanisms to ensure the role operates as intended. This may include:

- Families to receive information early on in the process that sets out the role of the FSO so family members know what they are entitled to and where the FSO is not meeting their responsibilities.
- Mechanism to provide feedback on FSO and avenues for families to request a change in officer.
- Avenues to review FSO performance at the individual and team level.

Rationale

In Victoria, WorkSafe’s Family Liaison Officers (FLOs) are intended to act as a single liaison contact role for families. Recently their role has expanded to include many of the elements of a best-practice single contact point described in the literature:

- Provision of information on regulatory processes, what family members should expect and what services they can access.
- Facilitation of service referrals, including warm referrals.

- Progress updates of an investigation (at reasonable intervals, to the extent possible without jeopardising the investigation).
- Provision of information on court procedures and court assistance where WorkSafe decides to prosecute.

Despite recent changes in the role, the following issues prevent the FLO from functioning as a best practice single point of contact.

- **The FLO cannot provide truly independent advocacy for families.** Independent advocates are a critical role in any support model to assist families to feel heard and address experiences of mistreatment.³⁰ However, the FLO's position in WorkSafe means it is caught between advocating for families and working within the constraints of the culture and policies of their funding agency.
- **The FLO does not provide sufficient wellbeing support, alongside information support.** The FLO role has recently expanded to provide wellbeing and psychological support. However, this does not reflect the experience of WICC members who note the role remains primarily focused on information and liaison.
- **The FLO is not designed to support families throughout their entire end-to-end journey.** The WorkSafe FLO only supports families through the investigation and legal processes, but not beyond, despite families indicating continued assistance and support beyond these timelines is required.

In addition, families continue to note poor experiences with how information is shared and communicated by the FLO during an investigation (Opportunity 3 seeks to address this issue).

Implementation considerations

Implementation of the FSO will need to consider the institutional arrangements to best achieve its functions and implications for the existing WorkSafe FLO position. These are described below.

Benefits and risks for different institutional arrangements to achieve independence

Further consideration is needed to determine where best the FSO position can sit to enable independence (i.e., to effectively advocate for families) and close agency relationships (i.e., to perform its function as a conduit and provide up to date information and advice). Two potential arrangements, both with benefits and risks are explored in Table 2 on the following page.

³⁰ Centre for Innovative Justice (2020). *Improving support for victims of crime: key practice insights*. Accessed at: [\[Link\]](#).

Table 2 | Options to achieve independency in FSO role

	Benefits	Risks
FSO to remain in WorkSafe, in a separate business unit ³¹	<ul style="list-style-type: none"> • Retain close working relationship with WorkSafe to ensure FSO has regular up to date information to communicate to families. • Creates a distinct division in WorkSafe dedicated to supporting affected persons and makes clear the critical importance of this role. • Requires simpler change to governance arrangements, more easily implemented. 	<ul style="list-style-type: none"> • May continue to affect perceived independence of FSO for families. • May isolate the FSO position from other agencies (compensation agents and coronial office) if too embedded in WorkSafe.
FSO to exist independent of WorkSafe	<ul style="list-style-type: none"> • Ensures real and perceived independence from WorkSafe. • Can enable greater feedback loop between families' experiences and changes to policy. 	<ul style="list-style-type: none"> • May become siloed from WorkSafe and face barriers in receiving appropriate information from WorkSafe to update families.³² • Will require detailed MOUs and information sharing agreements to enable FSO to operate effectively. • May require legislative change to the OHS Act to ensure WorkSafe can share information relating to an investigation. • May require large organisational shift and longer time to implement.

Implications for the WorkSafe FLO

Implementing the FSO role will have implications for the existing WorkSafe FLO position. There are two alternatives for how this reform can progress.

The recommended position is to retain the WorkSafe FLO and narrow its scope. The WorkSafe FLO would operate akin to the Coronial FLO, simply providing information and updates on behalf of WorkSafe investigators and the WorkSafe Enforcement Group to the FSO to pass on to affected families. In situations where the family may wish to communicate directly with WorkSafe, they could be put in contact with the WorkSafe FLO who is already trained to engage in a trauma informed way. The new roles and functions of the FSO and the WorkSafe FLO must be well-defined so as not to create greater complexity, role clarity issues or duplication of functions.

Alternatively, the WorkSafe FLO could be removed, and its functions absorbed by the FSO position. For this to be effective, the FSO would require strong links with WorkSafe so they can liaise and pass on updates to the affected family. However, situations may arise where family members prefer to engage with WorkSafe directly and WorkSafe investigators may need to play a greater role engaging directly with family members at critical points of an investigation. In this case, WorkSafe investigators would need to be appropriately trained to engage with family members in a trauma informed way.

The WICC should be actively involved and consulted in the implementation of the FSO position.

³¹ WICC members noted that it would be inappropriate for the FSO to sit within the Enforcement Group or the Compensation Group.

³² Previous reports indicate that referrals to the FLO can be inconsistent and there are issues with information being appropriately shared from investigators. These issues may be exacerbated if the position is further removed from WorkSafe.

Opportunity 2 | Establish a support officer role for injured workers

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Injured workers and their family members	1.1 Independent central contact point	Horizon 1 - 3	Victorian Government

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

Develop an independent Injured Worker Support Officer (IWSO) to support seriously injured workers and those at risk of complexity or secondary mental health issues to access services, navigate the system and advocate for their rights. This position should be well connected to all relevant agencies.

Benefits

- Help injured workers and their families navigate the post-incident system through their entire journey.
- Provide proactive support and referrals to wellbeing services to reduce instances of secondary mental health issues.

Implementation considerations

Appropriate institutional arrangements would need to be determined. Options are described below, both which will have implications for legislative change and organisational structure. Further, implementation of Rozen and improvements to the compensation system may lessen the pressure and requirements of an independent support position.

The WICC should be actively involved and consulted in the implementation of the IWSO position.

Reform opportunity

Establish a team of Injured Worker Support Officers (IWSOs), which can be allocated to injured workers and their families who require active wellbeing support, need assistance in navigating complex processes and advocating for their rights. The table below outlines the attributes and qualifications which will be required for these roles.

Table 3 | Role and functions of the IWSO

Feature	Description
Relevant qualifications, experience and knowledge	<ul style="list-style-type: none"> • Background in social work, psychology, allied health or industry equivalent experience. • Demonstrated ability to liaise and collaborate with various stakeholders. • Demonstrated knowledge of medical and rehabilitation principles and understanding the physical and psychological effects of workplace incidents. • Demonstrated knowledge of the OHS context and regulatory roles and responsibilities. • Demonstrated experience working with people who have experienced a traumatic incident or serious injury, which may include having lived experience.
Core functions	<ul style="list-style-type: none"> • Build relationships with injured workers and their family members and help them to choose the most appropriate services and support networks that meet their needs. • Conduct ongoing wellbeing check ins to assess the needs of injured workers. • Assist injured workers in practical issues such as filling out paperwork and getting the right documentation. • Serve as the role of an independent advocate for injured workers and their families to ask questions, seek advice and understand their rights. • Attend engagements between agencies and the injured worker in an advocacy and support

Feature	Description
	<p>capacity.</p> <ul style="list-style-type: none"> • Assist injured workers to provide feedback, participate in peer networks and contribute to continuous improvement and advocacy. • Facilitate and advocate for injured workers to access services, including training and re-education opportunities.

Allocation of an IWSO through a risk-based triage model

An IWSO should be allocated to injured workers where there is the greater risk of a complex recovery, secondary mental health concerns and/or serious injuries.³³ This could be achieved through the following triage model:

- **Pathway 1 | Where an injured worker is hospitalised and/or the injury is categorised as a ‘notifiable incident’**, the employer will notify WorkSafe as soon as is practicably possible and WorkSafe will automatically allocate an IWSO. The IWSO will begin to support the injured worker immediately after allocation. For example, the IWSO may liaise with the hospital and family members to help gather and communicate information and determine what immediate practical needs and psychological supports are required.
- **Pathway 2 | Where a worker’s injury is not a notifiable incident, the worker will ‘enter the system’ once a WorkCover claim is made.** This pathway builds on Rozen’s recommendation 4: *WorkSafe to identify if claims are complex or at risk of becoming complex* for WorkSafe to implement a triage system to assess claim complexity through a biopsychosocial lens. As part of this assessment, WorkSafe should allocate an IWSO to workers where there is a potential risk of complexity and/or secondary mental injury. Once referred, the IWSO will contact the injured worker to understand their injury, experience, and potential needs. The IWSO will then talk to the injured worker about the type of services and supports they can offer and understand the worker’s support needs. This may include ongoing support in the weeks and months following an injury.
- **Pathway 3 | Injured workers know the IWSO exists, and they can contact the WorkSafe advisory service to seek support.** The advisory service can appropriately assess the injured worker and understand where an IWSO may be necessary. For further detail on the advisory service, see [Opportunity 4](#).

The IWSO functions should be well understood and advertised. All injured workers should have access to information on their role and how they can be accessed. This includes co-workers who subsequently suffer a mental injury due to a workplace incident.

Rationale

There are two reasons why an IWSO is needed to support injured workers and their families. These are:

- The complexity of the system, particularly the compensation process, necessitates an independent support function which can provide independent advocacy.
- Few wellbeing supports are available for the families of injured workers.

Complexity in the system and need for an independent advocate. The compensation system and compensation Agent play a critical role in the support and recovery of injured workers.³⁴ However,

³³ A co-worker who experiences a mental injury post workplace incident would be categorised as an injured worker. For further detail on opportunities to support co-workers following a serious incident see Opportunity 6 and Opportunity 11.

Victoria’s compensation model does not *‘facilitate treatment, recovery and rehabilitation for injured workers.’*³⁵ Injured workers report feeling disempowered by the regulatory system, with few mechanisms to feel heard or part of the process. An IWSO can address reported shortcomings with the current system:

- Reduce feelings of frustration, loss of positive working relationships and re-traumatisation caused by changes in claims managers and service providers.
- Provide avenues for ongoing wellbeing support to assist long-term injured workers as they transition away from the compensation claims process to independent living and/or support through the disability sector longer term.

Even if there was substantial reform to Victoria’s compensation system, there remains a need for independent separate support via an IWSO. In particular, the inherent complexity of the system – with multiple agencies and interactions – can cause power imbalances. Injured workers’ recovery and quality of life is improved where post-incident supports reduce navigational complexity, provide proactive access to services and empower the injured worker to make decisions. Currently, few avenues exist for injured workers to access support and advocacy outside of the compensation model.

A gap in supports for families of injured workers. A strong informal support network can improve worker resilience and quality of life post-incident.³⁶ Those with lived experience note that the current system provides very few mechanisms to assist family members who play an active role in supporting their injured loved one. So that families can provide a critical support network, there is a need for the system to support them as well with practical and wellbeing check ins via an IWSO.

Implementation considerations

Implementation of the IWSO will need to consider the most appropriate institutional arrangements to best achieve its functions and independence. Two potential arrangements, both with their benefits and risks are explored in Table 4 below.

Table 4 | Options to achieve independency in IWSO role

	Benefits	Risk
IWSO to sit in separate independent function in WorkSafe	<ul style="list-style-type: none"> • Closely aligned to current reform program within WorkSafe and the increased role of the Claims and Recovery Division. • Requires less complex change to institutional governance arrangements and more easily implementable. 	<ul style="list-style-type: none"> • May not provide the level of independent advocacy that is required by those with lived experience. • Ability to effectively fulfil role is dependent on a shift in WorkSafe’s approach to a social-insurer and use of biopsychosocial frameworks.

³⁴ Kilgour, E. & Kosny, A. (2018). Victorian Injured Worker Outcomes Study: Study 1 – A qualitative enquiry into outcomes for injured workers in Victoria who have longer term claims, p. 23. Accessed at: [\[Link\]](#).

³⁵ Rozen, P. (2021). A review of WorkSafe Victoria’s management of complex workers’ compensation claims. Accessed at: [\[Link\]](#).

³⁶ Engagement with injured workers

IWSO to exist independent of WorkSafe

- May more effectively provide the role of independent advocacy, particularly in supporting injured workers to bring disputes to WorkSafe.
- May become siloed from WorkSafe and face barriers in receiving appropriate information to update injured workers and family members.³⁷
- Will require detailed MOUs and information sharing agreements to enable IWSO to operate effectively.
- May create confusion and duplication in roles as the Claims and Recovery Division take on more complex claims.

The WICC should be actively involved and consulted in the implementation of the IWSO position.

³⁷ Previous reports indicate that referrals to the FLO can be inconsistent and there are issues with information being appropriately shared from investigators. These issues may be exacerbated if the position is further removed from WorkSafe.

Opportunity 3 | Improve information sharing between WorkSafe and affected persons

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Injured workers, bereaved family members	1.2 Consistent, clear information and updates	Horizon 2	WorkSafe

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

Review and strengthen the existing obligation on WorkSafe to provide information and updates on investigation processes to bereaved family members and seriously injured workers. In the long term, consider further codification of obligations on government agencies to prioritise information sharing with specific affected persons.

Benefit

Ensures that bereaved family members and seriously injured workers receive the information, updates and findings from the investigation that they need.

Implementation considerations

Strengthening of WorkSafe's information sharing practices with affected persons can be achieved using WorkSafe's existing resources. Any further obligation on government agencies would require legislative change. Additional codification of the right to information should be developed in line with a Code of Injured Workers Rights (recommendation 14: Rozen Review).

Reform opportunity

WorkSafe should revise its approach to information sharing and providing updates following a workplace incident to ensure families and injured workers receive as much information as possible. WorkSafe should directly engage with the WICC to share and test current information sharing policies, including:

- The decision-making criteria for whether a piece of information can and should be shared.
- How information sharing policies operate to meet obligations under the *Victims Charter Act 2006* (Vic) (Victims Charter Act) in the context of a workplace death and injury context.
- WorkSafe's risk threshold for what is likely to 'jeopardise an investigation' and whether it is an appropriate threshold in a truly person-centred model.
- How and when affected persons who fall outside of the definition of 'victim of crime' are informed of relevant updates and information.

In addition to reviewing existing policies, there may be a need for a more clearly defined obligation on WorkSafe to give family members and injured workers access to information relating to an investigation.

Rationale

The Victim Charter Act requires investigatory agencies to inform victims about the progress of investigations into a criminal offence '*unless the disclosure may jeopardise any investigation of a criminal offence*'.³⁸ WorkSafe's policies reflect this obligation where the incident is considered a criminal offence.³⁹

³⁸ *Victims' Charter Act 2006*, section 8(1)

³⁹ WorkSafe (2020). Enforcement Group – Policy for Victims and Persons Adversely Affected by Crime. Accessed at: [\[Link\]](#)

Affected persons, however, continue to note issues of withholding information throughout an investigation and criminal process. For example, WICC members note WorkSafe does not provide sufficient detail to family members on how their loved one died. WorkSafe appears risk averse in how they approach the disclosure of information and what information they consider would jeopardise an investigation. The withholding of information, particularly in relation to the cause of death, can affect the grieving process for family members. It also creates an approach where families must seek information elsewhere and this risks the potential for sharing of misinformation.

Not all investigations by WorkSafe and interactions with injured workers and families are subject to the Victims Charter Act. WorkSafe, however, appears to take a similar position to sharing information with other affected persons – only to the point that it will not jeopardise the investigation.

Implementation considerations

Legislative change. An obligation on WorkSafe to share information would require legislative change to the OHS Act. Further analysis would be required to understand the applicability of the Victims Charter Act to affected persons in a WorkSafe investigation to determine if additional legislative change is required.

Alignment with other reforms. The Victorian Government has committed to developing a Code of Injured Workers Rights, similar to the New Zealand Code of ACC Claimants' Rights.⁴⁰ Any further codification of the right to information for family members and injured workers should be considered in alignment with the development of this code.

⁴⁰ Rozen, P. (2021). A review of WorkSafe Victoria's management of complex workers' compensation claims. Accessed at: [\[Link\]](#).

Opportunity 4 | Create a 'no wrong door' approach for families, workers and co-workers to seek supports they need

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Injured workers, bereaved family members, co-workers	1.2 Consistent, clear information and updates	Horizon 1	WorkSafe

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

Strengthen *WorkSafe's health and safety and injury compensation advisory service* to operate as a 'no wrong door' mechanism for all affected persons to seek necessary information and support.

Benefit

Improves avenues to access support and enables affected persons to be easily connected to the support they need following a workplace incident.

Implementation considerations

An effective and user-friendly experience for affected persons would require technological investment in back-end systems and/or legislative change to remove information sharing barriers.

Reform opportunity

WorkSafe's health and safety and injury compensation advisory service (advisory service) should provide the following information and services to operate as a 'no wrong door' mechanism for all affected persons:

- Information on the WorkSafe investigation and compensation process.
- Initial needs assessments with callers and provision of appropriate support such as mental health first aid where needed.
- Ability to triage affected persons to available support teams provided through WorkSafe and other funded channels (i.e., the IWSO).
- Refer affected persons to further supports such as counselling, financial counselling or legal assistance.

All staff operating the advisory service should be trained in trauma-informed engagement and mental health first aid.⁴¹

Rationale

Affected persons need an avenue that enables them to proactively reach out for information and support where they are not immediately captured in the support model. WorkSafe operates an advisory service that provides expert consultative advice and guidance on health and safety matters, incident notification, WorkCover, premiums, licensing, and accessing WorkSafe platforms.⁴² The advisory service operates primarily via telephone during business hours.

The advisory service also offers callers access to psychosocial advisors and can provide wellbeing support. However, the role of the service in wellbeing support and information for affected persons is not well advertised or understood. Dial options do not clearly direct those affected by an incident seeking support

⁴¹ Training could be delivered in conjunction, or with the support of, those with lived experience – this opportunity can be linked to Opportunity 12, where families and injured workers in funded peer networks are supported to assist in training staff undertaking support mechanisms.

⁴² WorkSafe Careers (2022). Job advertisement for Advisor – Psychosocial. Accessed 5 September 2022 at: [\[Link\]](#)

to psychological advisors, information and service referrals. Increased use of the advisory service and clear pathways to refer people to the right supports via the service will provide families and injured workers a more person-centred experience when seeking information and advice and increase their ability to access the right information at the right time.

Implementation considerations

Legislative change and technological investment. A no wrong door approach requires the staff of the advisory service to have the right information to inform and direct affected persons. Staff must therefore have access to information including personal details, claim and investigation status and previously engaged services. Without access to this information, the service will not be trauma informed. Instead, it will rely on callers to re-explain their experience, situation and needs. Implementation of a no wrong door approach, therefore, requires an integrated back-end shared customer relationships management (CRM) system. It may also require legislative change that would otherwise prohibit information sharing between agencies.

Opportunity 5 | Establish a centralised web portal to track claims and manage information received through the journey

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Injured workers, family members	1.2 Consistent, clear information and updates	Horizon 2-3	WorkSafe, Coroners Court

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

Develop a web portal enabling affected persons to access relevant information and updates in the one place.

Benefits

- Reduces instances where affected persons feel overwhelmed due to duplicative and fragmented information sources.
- Reduces the time spent by support officers in curating relevant information.

Implementation considerations

Similar to [Opportunity 4](#), a user-friendly portal will require financial investment and new technology to provide a streamlined single front door experience for affected persons. The development of a central web portal should also consider other initiatives currently being pursued by WorkSafe and the Coroners Court and the accessibility needs of users.

Reform opportunity

A user-centric web portal should be offered to affected persons as a supplementary tool to support the communication of key information and updates during the processes that follow a workplace incident. It would not replace the need for support officers as a single point of contact. Content available through the web portal may include:

- Updates on investigation, claims and coronial processes.
- Information on key processes and procedures following an incident.
- Links to support services and organisations to enable self-referrals by the affected person.
- Features to allow the affected person to update communication preferences and contact details.
- Features to enable the affected person to upload and store personal documentation relating to post-incident processes to streamline document requests.
- Mechanisms for affected persons to engage directly with support officers and other agency stakeholders.

The portal should be customisable to ensure that only information relevant to the situation of the affected person is shared. For example, if the affected person was an injured sole-trader, the portal would only include information on financial support that is accessible without a compensation claim.

Rationale

There is no common platform for affected persons to access information and updates following a serious workplace incident in Victoria. In the case of a workplace fatality, Family Liaison Officers (FLOs) will email relevant resources and information to bereaved families. This process is time consuming as FLOs must

ensure that any information sent via email is relevant to the specific circumstances and does not overload the individual with content.

The volume and complexity of information provided post incident is made worse as affected persons must 'trawl through information and identify what is relevant to them'.⁴³ A web portal gives affected persons control and aids their ability to navigate the system and access information on their own terms, in their own time.⁴⁴ This opportunity was recommended by the Senate Inquiry into industrial deaths.⁴⁵

Implementation considerations

Information and technological barriers. Critical to the implementation of a web-portal is interagency linkages and streamlined information so all affected persons can access support through a single front door. One way to achieve this is to rely on existing government services (such as Service Victoria) to develop a single sign-on front door for all affected persons to access different agencies.

Alignment with other reforms. WorkSafe and the Coroners Court are developing separate web portals for injured workers and families to access their systems and services.⁴⁶ There is a risk that if portals are created in siloes, benefits of a central single sign on portal will not be realised and affected persons and complexity will remain in the system with multiple channels of communication. Development of a central portal should look to align improvements with the work currently being developed by WorkSafe and the Coroners Court.

Accessibility. Accessibility of the portal should be prioritised to ensure it is easy to navigate and use for all affected persons. Implementation of the portal should consider: easy navigation format options for less technology-literate users and computer and smartphone accessible versions. Further, a web portal will not be accessible to all affected persons. Information should remain available in hard copy, email and/or via phone (depending on the accessibility needs of the individual).

⁴³ Centre for Innovative Justice (2020). *Improving support for victims of crime: key practice insights*. Accessed at: [\[Link\]](#).

⁴⁴ Centre for Innovative Justice (2020). *Improving support for victims of crime: key practice insights*. Accessed at: [\[Link\]](#).

⁴⁵ The Senate Education and Employment references Committee, *They never came home – the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia*, recommendation 29. Accessed at: [\[Link\]](#)

⁴⁶ WorkSafe is currently piloting a portal to assist in claims management for injured workers. The Coroners Court is looking to pilot a web portal for families to access and track information relating to a coronial process.

Opportunity 6 | Develop employer guidance and training materials to support co-workers

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Co-workers	1.2 Consistent clear information and updates	Horizon 1	WorkSafe, Employer

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

WorkSafe to develop guidance, information and training to assist employers to effectively respond to critical incidents.

Benefits

Help to improve employers' responses to critical incidents and strengthen the supports co-workers receive following a serious injury or workplace death.

Implementation considerations

Development of new guidance and training materials can be delivered within existing resources. Any new guidance should be aligned to support employers in their obligations to protect workers from psychological hazards and mental injury. Further reform to oblige employers to pay for training will require legislative change to the OHS Act.

Reform opportunity

WorkSafe should:

- Develop new guidance material that is tailored and accessible to all workplaces on appropriate critical incident response.
- Enable workplaces to undertake voluntary training in critical incident response.

All guidance materials and training should reflect up to date research on best practice employer response. Further detail on potential guidance and training are each discussed below.

Make guidance available and accessible for workplaces

The WorkWell Toolkit could be expanded to include specific material on supporting co-workers following a serious incident (see case study below for further explanation on the Toolkit). Aligned to the structure of the Toolkit, guidance should reflect the context of a business (i.e., what is expected of small, medium and large businesses).⁴⁷ Where a notifiable incident occurs, WorkSafe should immediately refer the employer to the WorkWell Toolkit for guidance. Suggested topics for guidance provided by WorkSafe is outlined in Figure 6.

⁴⁷ WorkSafe (2022). WorkWell Toolkit: Workplace trauma in your small or medium business. Accessed at: [\[Link\]](#).

Figure 6 | Guidance should include information on a range of topics

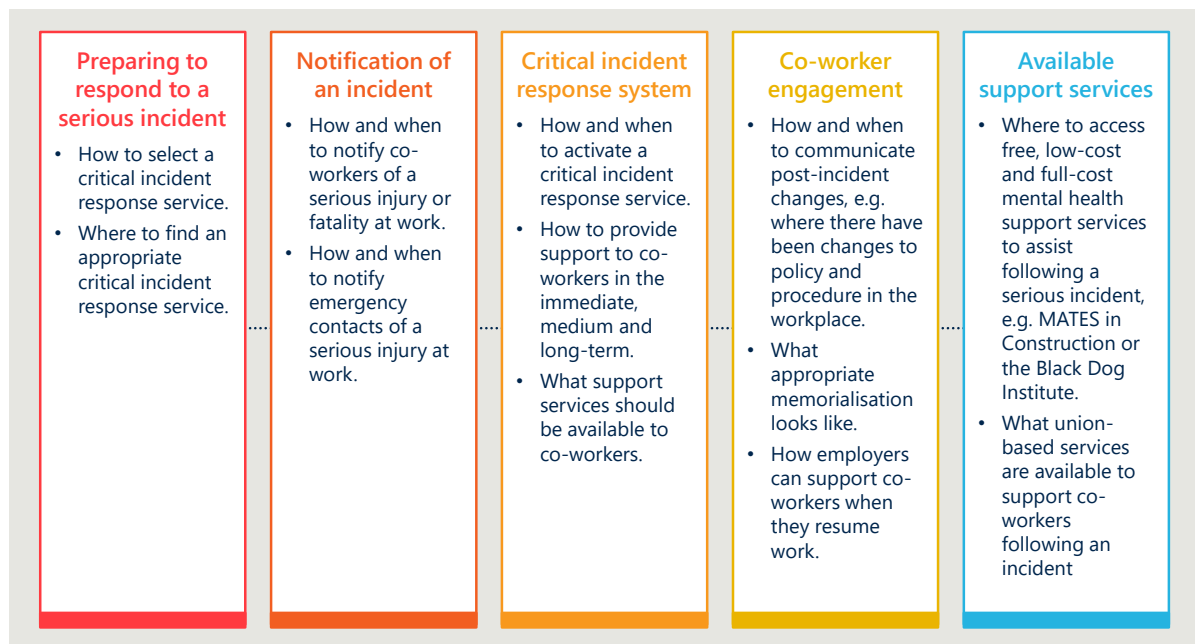



Figure 7 | WorkWell Toolkit case study



Case study: The WorkWell Toolkit is an integral resource for employers to access practical resources, tools and information for preventing mental injury in the workplace. It provides a centralised resource with guidance material to support businesses to take a prevention-led approach to creating mentally healthy workplaces. The information is presented in a way which is tailored and actionable to the size of the business. The toolkit has been adopted by over 10,000 employers since its inception.

Offer training to workplaces

There should be clear avenues for employers and employees to access training on critical incident response. Achieving this may include:

- WorkSafe identifying or designing appropriate-to-approve critical incident response training courses, with a focus on employee wellbeing, which employers and Health and Safety Representatives (HSRs) can complete at any time. WorkSafe may approve courses conducted by trade unions, employer associations or TAFEs.
- A requirement that, where a HSR requests critical incident training, the employer should allow the HSR time off with pay to attend approved courses and pay for the costs associated with attending the course.⁴⁸

WorkSafe may also allocate funding or grants to support third-party providers to develop appropriate courses. Guidance materials and information developed by WorkSafe should be designed with input from unions, employer groups and the WICC.

⁴⁸ *Occupational Health and Safety Act 2004 (Vic)*, s69(1)(d), the existing employer obligation is to provide time off with pay to attend the course but there is no obligation to cover the costs associated with attending the course.

In the long term, consideration could be given to mandatory critical incident training for employers. Given the voluntary nature of the HSR role it would be inappropriate to impose mandatory critical incident response training on HSRs.

Rationale

Employers have a responsibility under the OHS Act to provide and maintain, so far as is reasonably practicable, a safe working environment, without risks to health, including mental health.⁴⁹ Training and guidance for employers to appropriately respond to critical incidents and support their staff is necessary to enable employers to effectively fulfill their duties and keep workers safe from psychological harm. Employers currently have little access to guidance and training materials for how to best mitigate mental injury risks and effectively navigate post-incident responses.

Current WorkSafe guidance focuses on the employer's role in preventative action and health and safety, rather than incident response and supporting co-worker wellbeing. Some alternative guidance exists from other organisations, but this is either dated or not comprehensive.⁵⁰ In addition, there are almost no avenues for employers to access pre-incident training to appropriately prepare for a serious incident or workplace death, despite pre-incident training being shown to improve employer responses and support for employees.⁵¹

Implementation considerations

Alignment with other reforms. The Victorian Government has proposed new regulations to make clear an employer's obligations to protect workers from psychological hazards and mental injury.⁵² Introduction of new guidance and training material should reflect employers' obligations under the new reforms.

Legislative considerations. Under section 69 of the OHS Act, HSRs can qualify for time off with pay to attend training approved or conducted by WorkSafe (appropriate training courses set out in section 67). To oblige employers to pay for associated costs with critical incident response training, legislative change may be required to list critical incident training as a course under section 67.

⁴⁹ *Occupational Health and Safety Act 2004 (Vic)*, s21(1), 'health' is defined under the Act to include psychological health.

⁵⁰ For example, We Are Union's website provides guidance on what to do after a workplace death to ensure that 'sensitive support is provided to co-workers, family and friends'. However, this website was last updated in 2017 and some of the information no longer reflects recent changes in legislation and workplace obligations. We Are Union (2017). OHS Rep: A death at the workplace. Accessed at: [\[Link\]](#).

⁵¹ Athamneh, S. (2017). HR Planning for Crisis Management. Accessed at: [\[Link\]](#).

⁵² Victorian State Government (2022). Proposed OHS Amendment (Psychological Health) Regulations, proposed regulation 5. Accessed at: [\[Link\]](#).

Opportunity 7 | Improve capture of up-to-date emergency contact details to reduce delays in notification

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Family members	1.3 Immediate and appropriate notification	Horizon 1-3	Employers, Victorian Government
OPPORTUNITY, BENEFITS AND CONSIDERATIONS			
<p>Description</p> <p>Improve the guidance and materials for employers to communicate the importance of maintaining updated emergency contact details. In the long term, consider how legal obligations to maintain up to date emergency contact information can be introduced.</p> <p>Benefit</p> <p>Reduces the occurrence of incorrect or outdated emergency contact records held by employers, which can delay the notification of family members of a workplace incident or death.</p> <p>Implementation considerations</p> <p>This opportunity can be progressed using existing resources. Longer term change to enhance obligations on employers would require legislative change.</p>			

Reform opportunity

WorkSafe should update their website information and employee guidance materials to make clear the importance of accurate emergency contact information. Further, voluntary training for HSRs should include messaging on employee's responsibility to maintain updated emergency contact details.

In the long term, there may be opportunity to strengthen employer's legal obligations to confirm and update emergency contact details on an annual basis. Current obligations relating to employee record keeping are the responsibility of the Fair Work Commission under the *Fair Work Act 2009* (Cth) (Fair Work Act). The Victorian Government should consider opportunities to work with the Australian Government to legally obligate employers regularly to confirm and update employees' details.

Rationale

The process to initiate a notification should happen immediately following an incident. Incomplete or dated emergency contact records, held by employers, can delay the notification process,⁵³ and cause further harm for loved ones, for example when:

- Families become aware of the death or serious incident via social media or co-workers and are left waiting for formal notification and news.⁵⁴
- Families are not informed of a critical incident occurring and miss out on the opportunity to comfort their family member and say goodbye before they pass away.⁵⁵

⁵³ Nous Group (2020). *Jurisdictional arrangements for providing support to families affected by an industrial death – Comparative analysis report*, p30. Accessed at: [\[Link\]](#)

⁵⁴ Matthews, L. R., et al. (2017). *Death at Work: Improving Support for Families*. Final Report. Accessed at: [\[Link\]](#)

⁵⁵ Nous Group (2020). *Jurisdictional arrangements for providing support to families affected by an industrial death – Comparative analysis report*, p6. Accessed at: [\[Link\]](#)

There is, however, no ongoing obligation for employers to ensure that their employees' contact details remain up to date across the course of their employment beyond the stage of recruitment.⁵⁶ This delays the police in positively identifying the injured or deceased worker and appropriately notifying the right people.

Implementation considerations

Utilise existing resources. As a first step, changes to website information and employee guidance material from WorkSafe on the importance of maintaining up to date employee contact details could be actioned utilising existing resources within the organisation.

Legislative change. A duty of employers to maintain updated emergency contact information would require legislative change at the Commonwealth level. The Victorian Government would need to consider its avenues to influence federal policy change. This may include engagement with Safe Work Australia to work with Fair Work to drive change.

⁵⁶ *Fair Work Act 2009* (Cth).

Opportunity 8 | Develop clear policies between Victoria Police, other agencies and employers to ensure immediate, trauma-informed notification

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Family members	1.3 Immediate and appropriate notification	Horizon 1	Police, WorkSafe
OPPORTUNITY, BENEFITS AND CONSIDERATIONS			
<p>Description Review and strengthen existing policies for notification to ensure it is done in a timely and trauma-informed way, and that notification occurs in practice, how it is described in policy.</p> <p>Benefit Seeks to mitigate any factors that can otherwise delay notification which is shown to cause extreme distress to family members. Reduces potential instances where notification is not trauma-informed or appropriate.</p> <p>Implementation considerations This opportunity can be progressed using existing resources.</p>			

Reform opportunity

Victoria Police can improve their notification process by working directly with the WICC to share and test their policies and how they operate in practice. This includes reviewing existing policies for:

- Identifying family members beyond next of kin.
- Reflecting cultural and linguistic backgrounds in the delivery of notification procedures.
- Notification processes and responsibilities where an injured worker is taken to hospital.⁵⁷
- Notification processes and role of police where co-workers are notified of a serious incident.

Police should also consider opportunities to mitigate against factors that can otherwise delay notification or cause further distress to family members. This includes:

- Information sharing procedures between WorkSafe, Victoria Police and employers to make clear that the expediency of identification for notification purposes is the highest priority.
- A protocol for the Family Support Officer (FSO)⁵⁸ to attend with Victoria Police at the time, or shortly after notification, where this does not otherwise delay notification.

These two improvements could be reflected in the Memorandum of Understanding (MOU) between WorkSafe and Victoria Police.

Rationale

Victoria Police protocols have recently been reviewed and updated to ensure *'families are notified of deaths quickly and receive support as soon as possible'*.⁵⁹ Victoria Police also note that protocols exist to

⁵⁷ Of note, most critical incidents in Victoria are sent to either Royal Melbourne Hospital or The Alfred. Victoria Police should engage these hospitals directly to develop MOUs for how and when police should be involved in notifying family members.

⁵⁸ See Opportunity 7 for further detail.

⁵⁹ Andrews, D. (2021). Supporting Families Through Workplace Fatalities. Accessed at: [Link](#)

support police in notifying family members beyond the next of kin, considering broader cultural and linguistic backgrounds and assisting employers in co-worker notification. Further, Victoria Police are trained to deliver trauma-informed notification.

Despite existing protocols and training, families continually express concern about the notification experience. This project has been unable to determine how consistently policies are applied and how they are refreshed or reviewed. Further, it is not clear if Victoria Police has mechanisms to continually improve notification policies and/or provide refresher training to notifying officers.

Implementation considerations

Utilise existing resources. Before any recommendations can be made for how Victoria Police can or should improve their notification practices, further work is required to understand the current policies and how they operate. This work could be undertaken with existing resources within the organisation in consultation with the WICC.

3.2 Opportunities to strengthen wellbeing supports

Access to psychological support, practical assistance and peer networks are all core elements of any support model. There are four opportunities to strengthen access and availability of wellbeing supports following a serious incident or workplace death, all of which will improve the support model for multiple cohorts for families, injured workers and co-workers.

Opportunity 9 | Provide access to financial counselling for families and injured workers

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Injured workers, families	2.1 Accessible and tailored wellbeing supports	Horizon 2	WorkSafe, Victorian Government
OPPORTUNITY, BENEFITS AND CONSIDERATIONS			
<p>Description Strengthen access to financial counselling by:</p> <ul style="list-style-type: none"> Increasing awareness of existing services and what they can offer. Funding specialised services for families and injured workers. <p>Benefits Increase assistance for families and injured workers to manage changes in financial circumstances that follow a serious incident. Reduce instances of financial stress post-incident.</p> <p>Implementation considerations This opportunity is subject to additional funding and procurement processes to contract the appropriate services.</p>			

Reform opportunity

Families and injured workers should have access to appropriate financial counselling services in a timely manner. Access to financial counselling services will be improved by:

- Increased awareness of existing pathways into financial counselling** by ensuring agents and support officers (i.e., FSOs and IWSOs) are aware of financial counselling services, what financial counselling services can offer, and have relationships with providers to refer affected persons.
- Funding of appropriate financial counselling organisations to directly support the needs of families and injured workers.** Specific organisations could be funded to develop specialist knowledge relating to the WorkSafe compensation system including provisional, weekly and lump sum payments. Financial counsellors could be funded to provide ongoing support and financial advice to families and injured workers.

Where further support is needed, for example regarding investment options for lump sum payments, the IWSO or FSO could refer affected persons to appropriate financial planning services that are independent of the existing system. Financial counsellors cannot provide advice for legal matters, such as wills and probate, Letters of Administration and accessing superannuation. See [Opportunity 13](#) for the provision of this legal advice.

Rationale

Financial counselling can provide affected persons with greater control and much-needed clarity in what their future could look like, and 'how they will manage'. Victoria already provides free and independent financial counselling through the Financial Counselling Program funded, in part, by Consumer Affairs Victoria.⁶⁰ This program comprises the National Debt Helpline⁶¹ (a telephone financial counselling service), and funded agencies that provide face-to-face financial counselling across Victoria. Although financial counselling is readily available to Victorians in a vulnerable position, there are two key gaps that exist in how this service can support persons following a serious workplace incident.

Financial counselling services in Victoria are not well known and not actively used by injured workers or families.

The name 'National Debt Helpline' may be misleading as the service is available to support a much broader range of circumstances than just debt issues. The National Debt Helpline, and financial counselling more broadly, can provide financial advice and information support including:

- Reviewing an affected person's financial situation.
- Providing information on options for any financial difficulties or unmanageable debts.
- Advising on the effect a lump sum payment may have.
- Discussing options for how to protect and manage compensation payments.⁶²
- Helping to develop a budget or money plan.⁶³

The Financial Counselling Program is generalist, with only a few specific areas of specialist support available,⁶⁴ none of which relate to workplace incidents.

The complexity of the WorkSafe compensation system requires specialist knowledge to provide affected persons accurate and appropriate financial information. Therefore, there is a need for specialist and specific financial counselling for affected persons following a serious workplace incident. This includes understanding the potential psychological implications of compensation payments being rejected, or complexities of managing trusts for children of deceased workers. Existing services may not be able to provide this level of assistance.

Implementation considerations

Funding considerations. Procurement of a specialised financial counselling service would require additional expenditure by WorkSafe of the Victorian Government.

⁶⁰ Consumer Affairs Victoria (2021). Financial Counselling Program. Accessed at: [\[Link\]](#).

⁶¹ The National Debt Helpline is a national service coordinated by Financial Counselling Australia with support and funding from both the federal government's Department of Social Services and the state governments of Victoria (through Consumer Affairs Victoria) and NSW.

⁶² knowmore. Financial counselling. Accessed at: [\[Link\]](#).

⁶³ Financial counsellors do not provide investment or wealth creation advice.

⁶⁴ Specialist areas are: family and domestic violence, gambling, rural, small business and National Redress Scheme.

Opportunity 10 | Increase access to counselling services

There are three separate opportunities to help strengthen access to psychological and counselling services for all cohorts. These are described below.

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
All cohorts	2.1 Accessible and tailored wellbeing supports	Horizon 1 - 2	WorkSafe

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

There are three separate opportunities:

- A. Extend WorkSafe's current piloted program to provide procured grief and bereavement support for family members following a workplace death.
- B. Introduce a counselling service for injured workers and their families following a serious incident.
- C. Establish a free and independent counselling service to provide co-workers psychological support following a workplace death or serious incident.

Benefits

- Increase ability for all affected parties to immediately access psychological supports and services.
- Where possible, reduce instances of prolonged experiences of trauma and secondary mental health claims.
- For bereaved family members, provide access to grief and bereavement support that can continue to support family members across any prosecution or coronial inquest.

Implementation considerations

This opportunity is subject to additional funding and procurement processes to contract the appropriate services. Access to counselling services would also require the establishment of clear eligibility criteria.

10A. Extend existing bereavement supports for families

Reform opportunity

WorkSafe to provide bereaved families free, ongoing access to specialised bereavement support services to deliver grief and bereavement support following a workplace death. This program is currently offered as a pilot program and offers families access to services offered by GriefWork and ACGB for up to two years post incident. There is an opportunity to continue funding for this program beyond the pilot period and extend access for families beyond two years, where it remains necessary and appropriate.⁶⁵ The FSO should provide ongoing information to families on how these services operate and assist in referrals.

⁶⁵ To remain necessary and appropriate, it does not mean that the family members have been consistently accessing the service. There may be events that re-trigger a loved one's trauma and need for counselling support and these should be factored into the determination of 'necessary and appropriate'.

Rationale

The time bound nature of existing grief and bereavement services does not meet best practice. There are several cases where bereaved families remain actively engaged in the regulatory system after two years.⁶⁶ It is therefore important that referrals and access to any specialised bereavement support services are not time-capped or limited to a maximum number of consultations so individuals can engage in supports that reflect their context and recovery process.⁶⁷

In addition, often people who are experiencing the shock and trauma of a sudden workplace incident are not ready to access supports in the immediate weeks following the incident. Removing the time cap for existing services can enable the FSO to more effectively target and support family members where particular events necessitate an increase in wellbeing support years after the incident (i.e., anniversary of an incident and/or an investigation outcome).⁶⁸

Implementation considerations

Funding considerations. Expansion of the pilot program will require additional expenditure by WorkSafe or the Victorian Government. Future demand and costs should be modelled on an evaluation of the existing pilot.

10B. Introduce a free counselling service that is immediately accessible for injured workers

Reform opportunity

Provide access to independent counselling services for seriously injured workers and their families immediately following a workplace incident. Similar to the pilot provided to families, WorkSafe could procure one or two trauma and counselling services to provide counselling and emotional wellbeing support via telehealth⁶⁹. The procured services could then undertake initial needs assessments and determine, where appropriate, whether more active counselling support is required (i.e., in-person services or referrals to other external supports). Injured workers and their families could access this independent service immediately following the incident and would not be subject to a compensation claim.

Rationale

Access to psychological and counselling support within the first 12 weeks following an incident can reduce instances of PTSD and secondary mental injuries.⁷⁰ Injured workers and their families' primary access to counselling and psychological support is provided through the compensation system. However, there will be a delay from when the incident occurs to when claims are made, processed and accepted (and services are accessible via the claim).⁷¹ Once a claim is accepted, there may be further delays in accessing the right services with prolonged wait times currently facing Victoria's mental health system and counselling

⁶⁶ For example, where WorkSafe proceeds to prosecution and/or a coronial inquest takes place.

⁶⁷ Windermere (2021). Windermere 1800 Bushfire Recovery Support Program: achievement report March 2019 – December 2020. Accessed at: [\[Link\]](#).

⁶⁸ Nous Group (2020). Jurisdictional arrangements for providing support to families affected by an industrial death – Comparative analysis report. Accessed at: [\[Link\]](#)

⁶⁹ Non-clinical wellbeing support should follow the companionship model used by GriefWork and other social support services.

⁷⁰ Safe Work Australia (2018). Taking Action: A best practice framework for the management of psychological claims in the Australian workers' compensation sector. Accessed at: [\[Link\]](#).

⁷¹ Compensation agents must make a determination on a physical injury claim within 28 days from the date the claim was received. Other reports indicate average wait time for physical injuries is seven days. WorkSafe (2021). Claims Manual: 2.6.1.1 Time limits to determine liability. Accessed at: [\[Link\]](#); WorkSafe (2022). Victoria's provisional payments - better support for mental injuries. Accessed at: [\[Link\]](#)

services.⁷² Therefore, there is a need for independent access to counselling services, to provide immediate support to address the current gap and delays injured workers may experience in accessing the right support.

Implementation considerations

Funding considerations. Procurement of counselling services for injured workers would require additional expenditure by WorkSafe or the Victorian Government.

Clear eligibility criteria and guidance. In 2020–21 there were over 80,000 injured workers supported with treatment and/or benefits.⁷³ Guidance and eligibility criteria to access the service would be required to avoid pressure on the system, which can otherwise cause delays and poor experiences.

10C. Develop an independent counselling service for co-workers to access post-incident

Reform opportunity

The Victorian Government should provide a free and independent counselling service that can be accessed by co-workers following a serious workplace incident. In most cases, employers will procure an Employee Assistance Program (EAP) which provides employees free, independent social and psychological wellbeing services. Where employees cannot access an appropriate EAP, co-workers should have access to an alternative service. This may include where:

- It is not financially suitable for the workplace to engage an EAP service (i.e., where they are a small business or sole trader with employees).
- The workplace is not part of an industry that has access to not-for-profit or union counselling service.
- The workplace has an EAP which is not a member of the Employee Assistance Professional Association of Australasia and therefore may not be appropriately independent or offer sufficient services.
- The co-worker does not feel comfortable accessing their employer's EAP.
- The co-worker works under a subcontracting arrangement and may not have access to an employer's EAP service.

The independent counselling service would be accessed via telephone or video call for one year following the incident. This service should be clearly communicated to all affected workers and transparently advertised. Co-workers would be assigned an ongoing counsellor to ensure continuity of care. There would be a clearly defined transition period towards the end of the support timeframe where co-workers with ongoing support needs are identified and transitioned, in a trauma-informed way, to psychological support in the existing mental health system.

Counselling providers would require demonstrated experience in providing trauma-informed services and psychological support and understand the context around work-related traumatic incidents. Co-workers should be made aware of the service and know how to access it through directly contacting the counselling provider, being referred through their employer, WorkSafe and/or support officer.

As a shorter-term opportunity, further education and information should be provided to employees to communicate that EAPs are legally bound to remain confidential. This should seek to increase employee comfort with accessing employer contracted EAP services.

⁷² Royal Commission into Victoria's Mental Health System (2020). Final Report: Summary and recommendations. Accessed at: [\[Link\]](#).

⁷³ WorkSafe, WorkSafe Annual Report 2020-21. Accessed at: [\[Link\]](#)

Rationale

Timely and low or no-cost access to appropriate counselling services can improve outcomes for co-workers and reduce the likelihood of co-workers developing more serious mental health issues. Proactive support can also avoid cases of mental injury claims by those who are affected by a workplace incident.

Free, independent counselling is not currently available and accessible to all co-workers in a timely way post-incident in Victoria. The following available avenues for independent counselling support are limited:

- **Not all workplaces have an EAP program.** In addition, EAPs typically focus on preventative counselling and may not provide appropriate post-incident counselling services.
- **Only some industries offer workplace-incident specific counselling services through not-for-profits and unions.** Services are typically specific to industry (i.e., Incolink in the construction sector) and/or incidents (i.e., MATES in Construction for workplace suicides).
- **Cost and wait times for independent general counselling services are prohibitive.** This places a burden on co-workers to reach out for their own support and incur out of pocket expenses. Finding a counsellor with experience in workplace incidents can also be difficult and act as a deterrent to seeking help.

Implementation considerations

Funding and procurement considerations. Procurement of counselling services for injured workers would require additional expenditure by WorkSafe or the Victorian Government. Procurement of a counselling service may also need to consider geographic distribution, so that services can provide on the ground support (where appropriate) to businesses.

Clear eligibility criteria and guidance. Consideration should be given to whether all co-workers can access this service, regardless of the incident, or whether eligibility should be limited to those who do not have access to an alternative counselling service. There is a risk extending the government service to all co-workers would duplicate regular EAP services provided by employers. In addition, employers may no longer engage EAPs if they feel they can rely on government-funded supports to support their obligation to maintain a healthy and safe workplace.⁷⁴ On the other hand, limiting the service may reduce accessibility. Some co-workers may not access counselling supports if their only option is their employer's EAP or mainstream counselling services, which can be costly.

Alignment with other reforms. Implementation can build on findings from other piloted programs to improve supports for co-workers. This includes a WorkSafe pilot titled Early Support to provide some early support services to employees and a current Beyond Blue program to provide counselling services for Small Business Owners called NewAccess.

⁷⁴ As this government service would only be for following a serious incident, employers may still engage EAPs to provide preventative employee assistance.

Opportunity 11 | Establish independent critical incident response service for co-workers

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Co-workers	2.1 Accessible and tailored wellbeing supports	Horizon 2	WorkSafe

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

Develop a program for an alternative critical incident response service to be deployed to workplaces in cases of critical incidents where no existing service is available or appropriate.

Benefit

Increase immediate access to supports for co-workers and reduce instances of employee psychosocial harm following a serious incident or workplace death.

Implementation considerations

This opportunity is subject to additional funding and procurement processes to contract the appropriate services. Eligibility criteria for accessing the alternative critical incident program and mechanisms to ensure ongoing financial sustainability of the service may need to be considered.

Reform opportunity

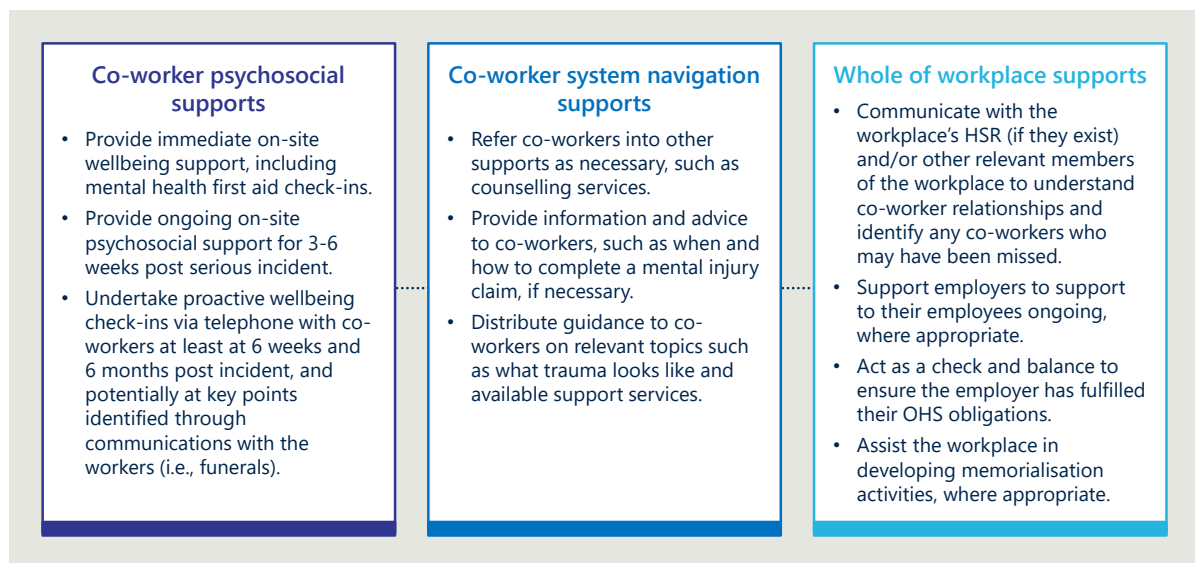
A government funded, independent 'alternative' critical incident response service should be established that can be mobilised where:

- A workplace does not already have a critical incident response service engaged or cannot access one through their EAP.
- A workplace is ineligible to reach out to not-for-profit organisations that provide critical incident response support.
- Accessing the employer-engaged critical incident response service is assessed by a designated authority to be inappropriate.

The critical incident response service should provide intensive support for the first 3-6 weeks and then act as a touchpoint for co-workers for up to one-year post-incident. The critical incident response service should actively liaise with the workplace's HSR (if they exist) and other relevant members of the workplace⁷⁵ to deliver critical incident support that is tailored to the organisation's needs. Figure 8 below outlines the supports that should be provided through a critical incident response service.

⁷⁵ This may include employee representatives other than the HSR, mental health first aiders, and other workplace support networks.

Figure 8 | Critical incident response service supports



Rationale

Co-workers often experience trauma following a serious workplace incident, particularly if they are witnesses or responders to the event, or if they are close with the individual involved.⁷⁶ Immediate support for co-workers can help to mitigate secondary mental injury that results from experiencing or witnessing a workplace incident. Critical incident response services are currently engaged at the discretion of their employer and therefore not all co-workers who require the service have access to it.

Implementation

Funding and procurement considerations. This opportunity would require additional funding. WorkSafe could procure a third-party community health organisation to deliver the service. Procurement processes should consider the geographic distribution of the providers and experience and capacity to understand organisational contexts subject to workplace incidents and deaths. The EAP provider procured as part of [Opportunity 10](#) could also offer critical incident response services.

Clear eligibility criteria and guidance. Further consideration should be given to who can access the critical incident response service. One option is to limit service access to organisations who do not have the capacity or means to procure their own service, or organisations where the incident is a notifiable incident. Alternatively, the service could be available to all workplaces. WorkSafe BC, in Canada, is an example of an in-house service provided to all organisations (see case study below). The BC model would require greater financial investment and a longer implementation time.

Ongoing financial sustainability of the program. Further consideration needs to be given to how to incentivise employers to engage their own service and avoid reliance on the government funded service. There are several potential options raised by the WICC for how this may be achieved:

- Impose an additional levy on WorkSafe premiums for large organisations if they do not have a critical incident response service.⁷⁷

⁷⁶ The WICC note that other members of the public may also be adversely affected by workplace incidents. However, this is not within the scope of this support model.

⁷⁷ It would not be appropriate to impose this levy on small to medium organisations who may not be able to afford to engage a critical incident response service.

- Pass on costs for accessing the alternative critical incident response service to large organisations who use the service.

A robust assessment of each option would need to be undertaken before being implemented.

Figure 9 | WorkSafe BC case study



Case study: The province of British Columbia in Canada has a model for a critical incident response system run by their regulator, WorkSafe BC. The voluntary service is available to support all organisations in the three weeks post critical incident to help co-workers and employers navigate the aftermath of the event. Anyone can initiate the request for an intervention which comprises a structured individual or group process in which a provider helps the affected worker(s) to cope with the continuing effects of a traumatic incident. If further support is needed, a maximum of five hours of individual follow up intervention can be provided. If a worker needs support beyond these additional sessions, the costs are not covered by the program. This program is fully funded by WorkSafe BC.

Opportunity 12 | Fund peer networks to strengthen existing support channels for injured workers and families

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Bereaved family members, injured workers	2.2 Peer-to-peer supports	Horizon 1	Victorian Government

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

Provide government funding to peer networks to continue to deliver information support services and participate in systemic advocacy.

Benefit

Ensure families and injured workers can access informal support networks which can help to improve their experiences post-incident.

Implementation

This opportunity is subject to additional funding.

Reform opportunity

The Victorian Government should provide appropriate funding for peer networks to strengthen and extend the services they provide injured workers and families. Financial assistance could be through:

- Provision of multi-year grants to help fund specific projects or programs.
- Provision of ongoing funding through service contracts to existing peer networks.

In addition, peer networks should play a role in supporting systemic advocacy across the system. This could include establishing feedback loops and/or a clear advisory function to government to ensure the perspectives of those with lived experience inform policy changes.⁷⁸ With further funding, peer networks should also invest in training people with lived experience as support workers and advocates.⁷⁹

Rationale

Funding peer networks will extend their value and reach. There is no ongoing funding for peer networks in Victoria for workplace injury related issues. Existing networks⁸⁰ rely on grants and fundraising campaigns. As a result, peer networks are limited in their capacity to run programs and assist in advocacy due to a lack of stable inflow of funds. This is despite the value and positive outcomes that peer networks provide for those who have experienced a traumatic event. They can:

- Provide an opportunity to talk to someone who has a similar experience and ask practical questions, such as how different processes work and what to expect.
- Build a sense of support that someone is on their side.
- Help develop social networks, reduce instances of social isolation, and help to build resilience.

⁷⁸ This component of the opportunity is also covered by Rozen Recommendation 10: Improved feedback procedures.

⁷⁹ For example, in Queensland people with lived experience can be trained as Safety Advocates who go out to employers to talk about particular safety risks and systemic issues. WorkSafe.qld.gov.au (2022). Safety Advocates. Accessed at: [\[Link\]](#).

⁸⁰ Such as the Injured Worker Support Network

Implementation considerations

Funding considerations. This reform opportunity will require additional funding from the Victorian Government. Funding should be multi-year or ongoing to allow peer networks to effectively plan.

3.3 Opportunities to strengthen advocacy supports

Access to advocacy, both systemic and individual is needed to ensure those affected by workplace incidents and death can access services they are entitled to and enforce their rights in the system. Two opportunities to enhance avenues for advocacy in the support model are described below.

Opportunity 13 | Increase access to legal advice and assistance

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Bereaved family members, injured workers	3.1 Individual advocacy	Horizon 2	Victorian Government
OPPORTUNITY, BENEFITS AND CONSIDERATIONS			
<p>Description Fund the provision of legal information and advice to bereaved families and injured workers.</p> <p>Benefits Increase access to legal assistance, assist families and injured workers to understand their rights and strengthen avenues to hold agencies and stakeholders to account.</p> <p>Implementation considerations This opportunity is subject to additional funding. Implementation will also be subject to the capacity and capability of community legal centres or other legal services who provide the right support.</p>			

Reform opportunity

Develop a service for families and injured workers to access legal information and advice relevant to the post-incident processes they experience. This service could form part of existing community legal centres who have the capacity and capability to assist families and injured workers in understanding legal jargon and addressing concerns relating to the legal consequences of a workplace incident. The following services could be provided:

- For bereaved family members, information on wills and probate and how to access their loved one's superannuation.
- For all affected parties, information on legal rights and complaint processes and how to:
 - request WorkSafe to bring a prosecution under section 131 of the OHS Act
 - request a Coronial inquest
 - make and follow up on a complaint to WorkSafe relating to the conduct of IMEs and other service providers.
- For all affected parties, the provision of legal advocates on a needs-basis that could attend engagements between an affected person and different agencies, such as WorkSafe.
- Mechanisms to engage in ongoing systemic advocacy, including contributions to policy submissions.

This service should also refer people to WorkCover Assist where injured workers can receive free representation during conciliation at the Workplace Injury Commission.⁸¹

Rationale

There is a critical gap in Victoria's support model for accessible legal information and advice. While several legal aid services exist in Victoria, few provide advice or assistance on issues relating to workplace incidents and OHS law. In addition, there is little clarity around when and how these services can be accessed.

Bereaved family members are interacting with the investigation into their loved one's death and prosecution process, with few mechanisms to explain the system and no prior knowledge to draw on. Navigating the legal complexity of investigations and compensation processes can cause significant distress and harm. Injured workers and families can feel helpless in the system because they don't know the rules and legal jargon and feel unable to advocate for themselves. Bereaved family members are often required to make legal decisions at various stages across the process. These are not only daunting but mistakes in legal paperwork can delay access to compensation and other services.⁸²

Implementation

Funding considerations. This reform opportunity will require additional funding from the Victorian Government.

Workforce capacity. Legal community centres are currently facing funding shortages and increases in demand across their existing services.⁸³ Providing this service requires specific knowledge of the workplace incident space and the agencies and processes involved. Legal community centres or other not for profit services may have limited capacity to take on new service offerings and upskill their staff to provide the right support.

Alignment with other opportunities. Any legal advocacy service should be considered in conjunction with the development of the FSO and IWSO. The FSO or IWSO may be best placed to play the role of advocate in engagements with agencies such as WorkSafe, as individual advocacy is more effective when the advocate understands the individual and their needs. A legal advocate provided through a community legal clinic may therefore be provided as a supplementary service on a more ad hoc, needs-basis. The WICC should be actively consulted and involved in the development of this service to ensure it meets the intended aims of this recommendation.

⁸¹ Previously, the Accident Compensation Conciliation Service

⁸² Matthews, L. R., et al. (2017). Death at Work: Improving Support for Families. Final Report, p. 14. Accessed at: [\[Link\]](#).

⁸³ Bucci, N. (2022). Community legal services turn clients away amid funding shortfall as family violence spikes. Accessed at: [\[Link\]](#).

Opportunity 14 | Strengthen access to legal representation during coronial inquest

COHORT	SUB FEATURE	IMPLEMENTATION	RESPONSIBLE PARTIES
Bereaved family members, injured workers	3.1 Individual advocacy	Horizon 2	Victorian Government

OPPORTUNITY, BENEFITS AND CONSIDERATIONS

Description

Provide families access to legal assistance and representation during a coronial inquest.

Benefits

Assists in navigating the complexity and anxiety associated with the coronial inquest and helps to ensure families are meaningfully represented in the coronial process.

Implementation considerations

This opportunity is subject to additional funding. Implementation would also require resources and time invested by community legal centres and the development of clear eligibility criteria and referral pathways.

Reform opportunity

Where a coronial investigation takes place, families can be referred to a Coronial Legal Assistance Service by their support officer and/or the Coronial Liaison Officer. The service should:

- Help families to obtain information from the Coroners Court and review and understand the Coronial Brief.
- Communicate family concerns and issues to the Coroner.
- Give families information on their rights during and after the coronial process.
- Represent a family during a coronial inquest, where appropriate.

Rationale

Legal assistance has been seen to assist families navigate the coronial process and increase access to independent advocacy during the complex legal process.⁸⁴ Currently bereaved families in Victoria do not have access to legal assistance during the coronial process unless it is personally sourced at the family's expense. This is despite recent reports recommending coronial legal assistance as a component of a best practice support model.⁸⁵

This opportunity is modelled on the Queensland's Coronial Legal Service (QCLS) which offers a socio-legal support model which provides legal support and case management assistance during the coronial process. The QCLS initially started as a pilot program and has since been funded for a following five years in

⁸⁴ Carpenter, B., et al. (2020). Final report: Evaluation into State Wide Coronial Assistance Services 2016-2020. Accessed at: [\[Link\]](#).

⁸⁵ Nous Group (2020). Jurisdictional arrangements for providing support to families affected by an industrial death – Scoping study outcomes report.

recognition of its value and need for families.⁸⁶ A recent independent evaluation of the QCLS found that the pilot program provided immense value to families before and after the inquest.

Implementation considerations

- **Funding and procurement considerations.** Development of this program will require additional funding by the Victorian Government. Funding should cover all travel costs incurred with legal representatives providing legal assistance at an inquest. The procurement process should also consider appropriate trauma-informed training of the provider and their geographic distribution to accompany affected persons in court. There is an opportunity to engage the same legal community centre to provide legal information and advice as in [Opportunity 13](#).
- **Clear eligibility criteria and guidance.** Eligibility guidelines should be aligned to the Commonwealth priorities and eligibility principles set out in the National Partnership Agreement on Legal Assistance Services.⁸⁷ Further, guidance for referrals and access should be clearly communicated and transparent to families.
- **Alignment with other opportunities.** Access to legal assistance should be closely aligned with access to counselling and emotional support to families and witnesses over the life of the coronial investigation and inquest (Opportunity 10 | Increase access to counselling services). Further, this service could be the same service that provides legal information and advocacy in Opportunity 13.

⁸⁶ Caxton Legal Centre (2020). Queensland Coronial Legal Service – reaching more families. Accessed at: [\[Link\]](#).

⁸⁷ Australian Government (2020). Commonwealth priorities and eligibility principles: National partnership agreement on legal assistance services. Accessed at: [\[Link\]](#).

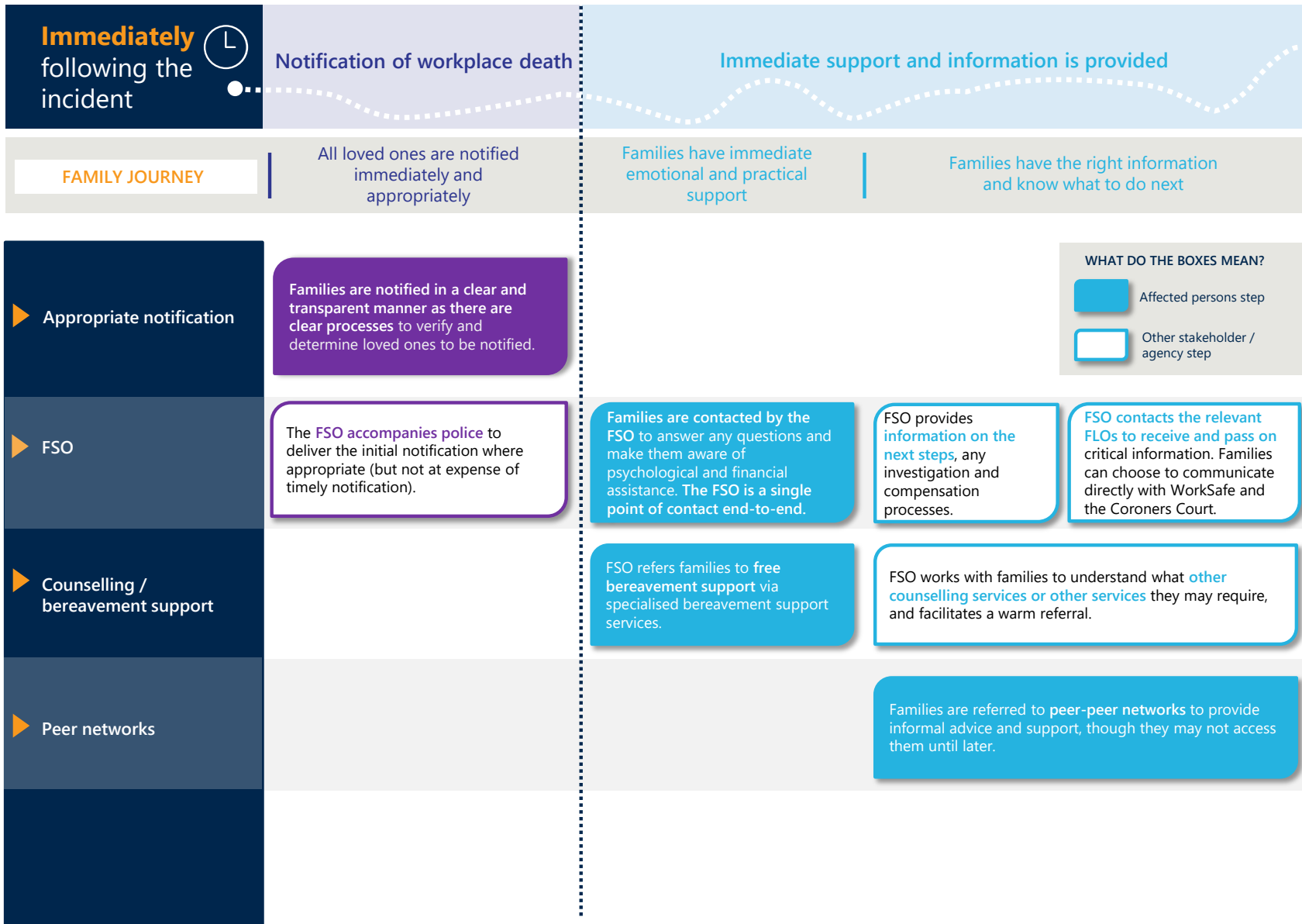
Appendix A Future state journey maps for all cohorts

The suite of reform opportunities will improve the supports available for families, injured workers and co-workers. Across the project, Nous worked with the WICC to test how each reform opportunity could operate in practice across the different stages of an individual's journey from the day of incident. These journey maps are presented below and can be used as guide for how each of the reform opportunities can be implemented, and the experiences they should seek to achieve.

Family journey

11 of the opportunities outlined above will strengthen the support model for families and increase their ability to access proactive, tailored services and independent advocacy. The opportunities that relate to families are:

- Opportunity 1 | Develop a Family Support Officer position for bereaved family members
- Opportunity 3 | Improve information sharing between WorkSafe and affected persons
- Opportunity 4 | Create a 'no wrong door' approach for families, workers and co-workers to seek the supports they need
- Opportunity 5 | Establish the option for a centralised web portal to track claims and manage information received through the journey
- Opportunity 6 | Improve capture of up-to-date emergency contact information
- Opportunity 7 | Develop clear policies between Victoria Police and other agencies to ensure immediate, trauma-informed notification
- Opportunity 9 | Provide access to financial counselling for families and injured workers
- Opportunity 10 | Increase access to counselling services
- Opportunity 12 | Fund peer networks to strengthen existing support channels for injured workers and families
- Opportunity 13 | Increase access to legal advice and assistance
- Opportunity 14 | Strengthen access to legal representation during coronial inquest

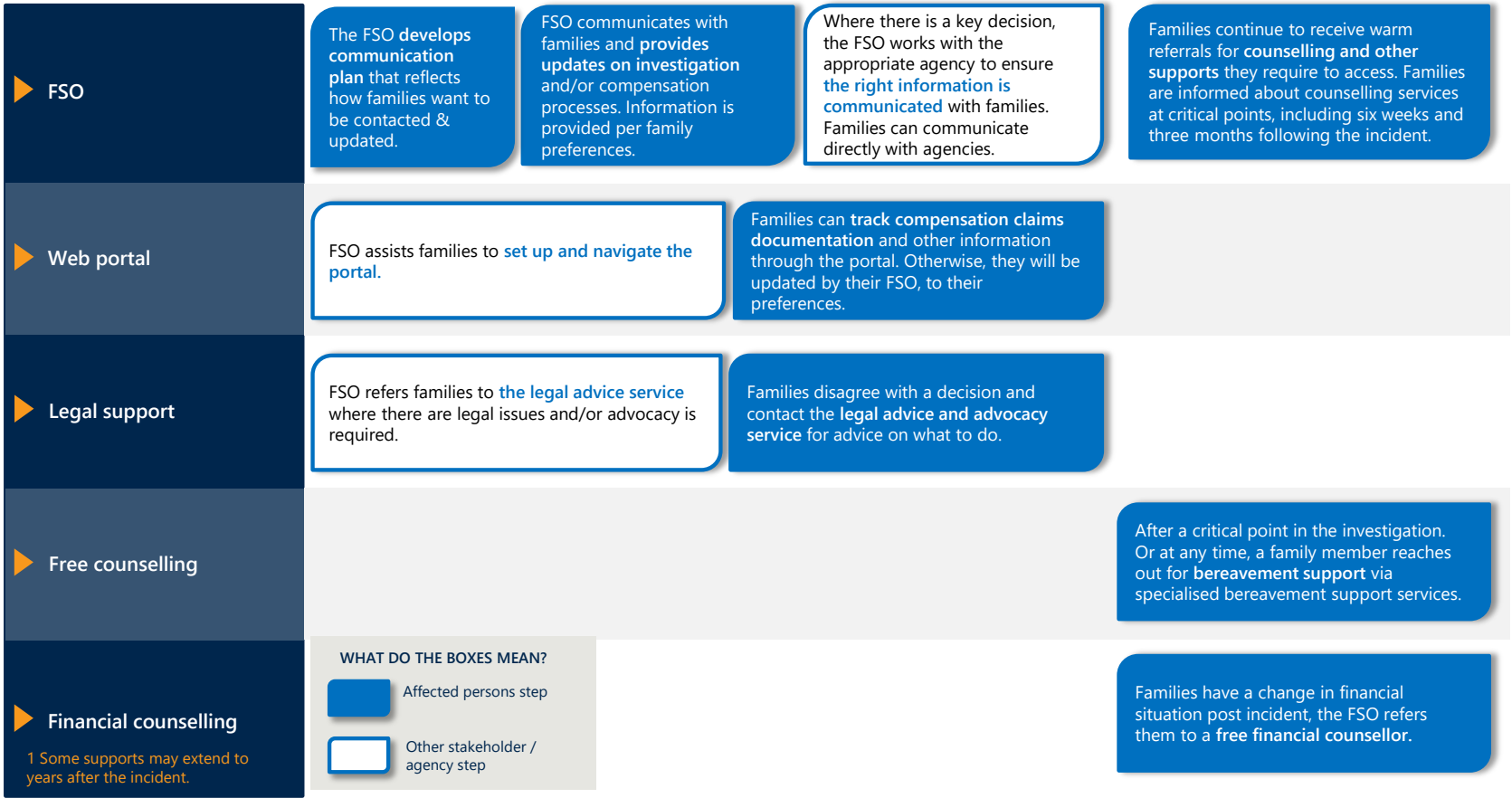


Weeks and months¹ following the incident



Ongoing access to wellbeing supports

FAMILY JOURNEY | Families are updated across a WorkSafe investigation / compensation process and can track their progress in their own time | Families can continue to access support services that meet their needs at that point in the process



Months and years following the incident



Coronial Investigation and Inquest

FAMILY JOURNEY

Families understand the coronial process

Families are represented in coronial investigations

▶ FSO

Families gain a clear understanding of the coronial process from the FSO.


The FSO initiates a referral to the Coronial FLO to provide further detailed information and targeted support through the coronial process. The Coronial FLO will directly provide updates and further support to families.

▶ Legal representation

Coronial FLO will refer families to legal assistance to provide information and guidance during coronial process.

WHAT DO THE BOXES MEAN?

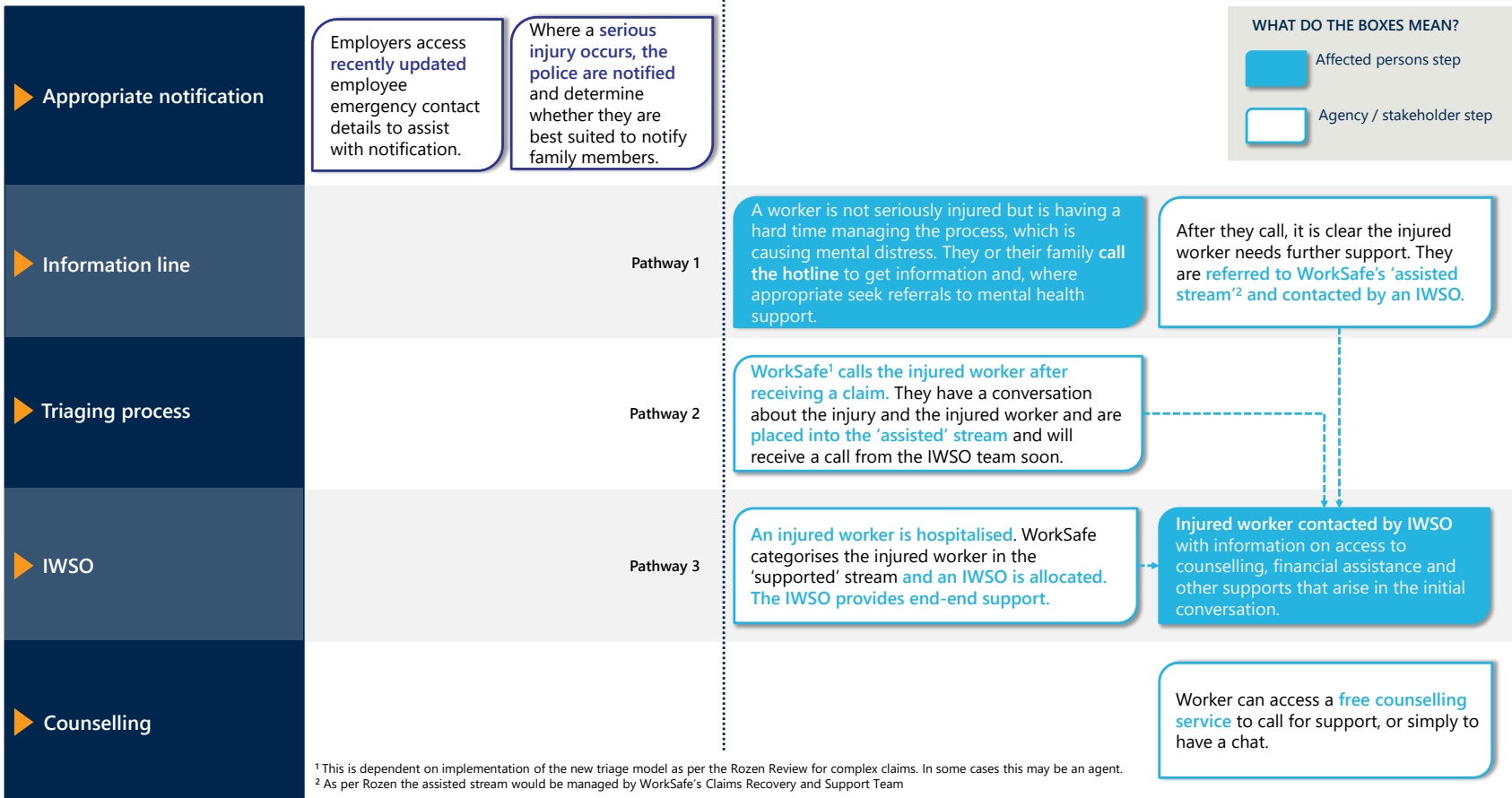
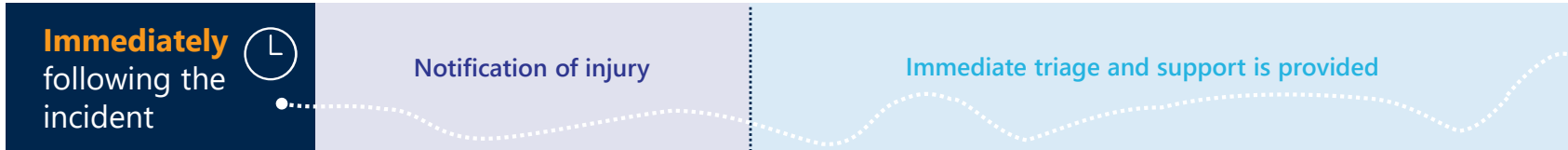
 Affected persons step

 Other stakeholder / agency step

Injured worker journey

12 of the opportunities outlined above will strengthen the support model for injured workers and increase their ability to access proactive, tailored services and independent advocacy. The opportunities that relate to injured workers are:

- Opportunity 2 | Establish a support officer role for injured workers
- Opportunity 3 | Improve capture of up-to-date emergency contact information
- Opportunity 4 | Create a 'no wrong door' approach for families, workers and co-workers to seek the supports they need
- Opportunity 5 | Establish the option for a centralised web portal to track claims and manage information received through the journey
- Opportunity 6 | Develop employer guidance and training materials to support co-workers and injured workers
- Opportunity 7 | Develop clear policies between Victoria Police and other agencies to ensure immediate, trauma-informed notification
- Opportunity 8 | Improve information sharing between WorkSafe and affected persons
- Opportunity 9 | Provide access to financial counselling for families and injured workers
- Opportunity 10 | Increase access to counselling services
- Opportunity 12 | Fund peer networks to strengthen existing support channels for injured workers and families
- Opportunity 13 | Increase access to legal advice and assistance
- Opportunity 14 | Strengthen access to legal representation during coronial inquest



Weeks and months following the incident



Ongoing access to wellbeing supports

INJURED WORKER JOURNEY

Injured worker can keep up to date with information and agency processes

Injured workers continue to receive support through all agency processes

▶ **Web portal**

Injured worker sets up their web portal where relevant, with the help of their IWSO.

The injured worker logs in to the portal to track their claim's progress. The injured worker can also use the portal to communicate with the IWSO.

WHAT DO THE BOXES MEAN?

Affected persons step

Agency / stakeholder step

▶ **IWSO**

IWSO regularly contacts the injured worker in the early weeks to months and works with them and their family to understand what services are needed.

IWSO communicates with injured workers and their families to provides updates on investigation and/or compensation processes. Information is provided based on injured worker preferences.

The injured worker is **warm referred** to additional wellbeing or practical support services by their IWSO.

▶ **Peer networks**

Injured worker can access peer support networks online, or in person. They are made aware via the IWSO, employer and online.

Injured worker contacts the peer network when they have any questions or issues.

▶ **Counselling and financial counselling**

Injured workers can access free financial counselling services to help manage budgeting, mortgages and their financial future.

Weeks and months following the incident



Access to advocacy

Continued support beyond 'Return to Work'

INJURED WORKER JOURNEY

Harm caused to the injured worker is recognised and they can seek legal support

Injured workers are continually supported to return to life, whatever that means for the individual

IWSO

Where there is an outcome. The IWSO enables the injured worker **to meet with the appropriate stakeholders** (i.e., WorkSafe investigators) when required

Where there is a dispute relating to compensation, an injured worker is supported to engage in **alternative dispute mechanism**, with the assistance of the IWSO

The IWSO continues to **regularly check in** with the injured worker until a time that they choose.

The injured worker does not feel appropriately supported at work, or by their Occupational Rehab. The IWSO **informs the worker on what their rights are** (i.e., to complain) and what the process looks like.

Legal support and advice

Injured worker has a complaint or legal issue and will contact the legal service **for information on how to access their rights**

Injured worker requires legal representation and can contact the legal service system for advice and referrals.

Peer support and advocacy

Injured workers want to see change in the system. **Peer networks** can assist the injured worker in systemic advocacy.

Weeks and months after the injury, the injured worker continues to participate in **peer support networks** through social activities and informal engagements.

WHAT DO THE BOXES MEAN?

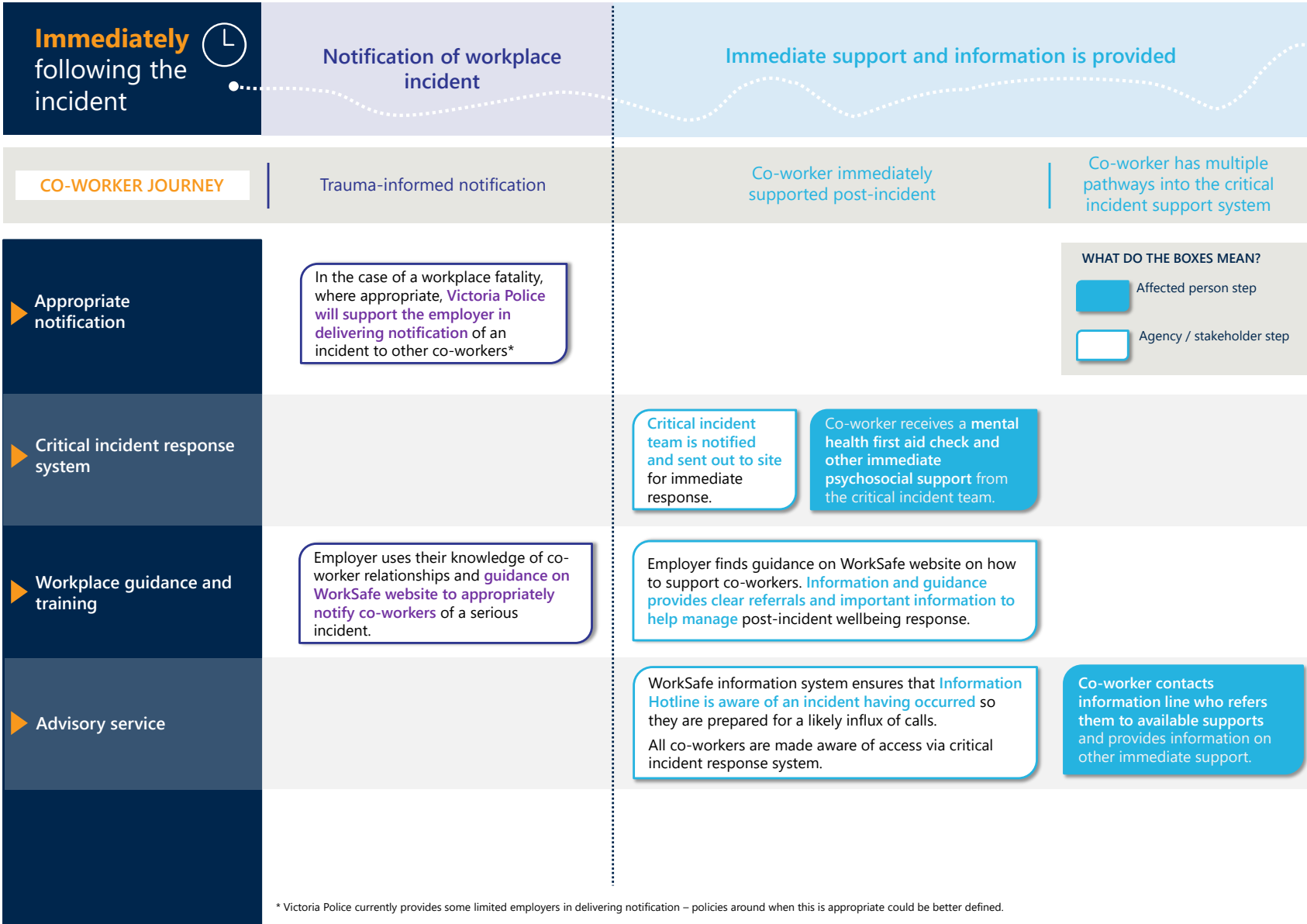
Affected persons step

Agency / stakeholder step

Co-worker journey

4 of the opportunities outlined above will strengthen the support model for co-workers and increase their ability to access proactive tailored services and independent advocacy. The opportunities that relate to co-workers are:

- Opportunity 4 | Create a 'no wrong door' approach for families, workers and co-workers to seek the supports they need
- Opportunity 6 | Develop employer guidance and training materials to support co-workers and injured workers
- Opportunity 10 | Increase access to counselling services
- Opportunity 11 | Establish independent critical incident response service for co-workers



Weeks and months following the incident



Ongoing access to wellbeing supports

CO-WORKER JOURNEY

Co-worker accesses ongoing support services

Co-worker is supported to return to work

Co-worker assisted to navigate critical milestones post-incident

Critical incident response system

In serious incidents where there are risks of secondary mental health concerns, co-worker receives a check-in phone call from the critical incident team following the incident and can refer co-worker to other support, if needed.

Post-critical incident response makes clear that co-workers may have access to mental health WorkCover claims and what the steps are to make an application.

Post-critical incident response, co-workers are informed they can contact the IWSO or FSO to provide condolences and well-wishing.

Workplace guidance and training

Employer and OHS Manager and OHS Officer access information and training on available co-worker supports, how to best support co-workers in the weeks to months following an incident and where to access further support and advice on supporting co-workers.

OHS Manager, Officer and employer accesses information on how best to support co-workers who took leave as they return to work after an incident.

Guidance available on appropriate engagement with the family of the injured or deceased worker by the co-worker.

Advisory service

Co-worker is struggling with the incident and cannot return to work. They call the information line who provides information on mental injury compensation claims.

Co-worker calls the hotline to understand what happens during a WorkSafe investigation and what it means for the worker.

Access to counselling

WorkSafe's counselling service is available and ready for when co-workers begin to process the incident.

Co-worker accesses the counselling service via referral from the critical incident team, information line or other avenues.

The co-worker notices they are struggling with the anniversary of the incident and contacts the counselling service for support.

WHAT DO THE BOXES MEAN?

- Affected person step
- Agency / stakeholder step

Appendix B Literature review executive summary

Nous Group (Nous) has been engaged by the WICC to develop an evidence-based best practice support model for workers, co-workers and families. The first stage in this best practice model is to undertake a literature review of best practice to inform future co-design with the WICC. This report presents the insights from the literature review.

The literature review found that a number of principles, features and supporting factors are common to the needs and experiences of workers, co-workers and families following a workplace incident. The difference in the support model between affected persons (workers, families and co-workers) and incidents (serious injury or death) is typically the way in which these principles and features are applied in practice, not the principles and features themselves.

Summary of opportunities for reform

Within the key features and supporting factors, we have also found some potential opportunities for reform where it is clear that Victoria’s current model may not meet best practice. There may also be other opportunities for reform.

Table 5 | Opportunities for reform in each key feature

REFORM OPPORTUNITIES FOR KEY FEATURES	
1. Information and system navigation supports	
Timely and appropriate notification	<ul style="list-style-type: none"> • Clear transparent police policies for timely and trauma-informed notification for all scenarios, particularly for family notification following a serious injury of a loved one at work. • Potential role for a social worker to accompany police notification of a workplace death (particularly where certain biopsychosocial risks are prevalent). • Develop guidelines to support employers to facilitate appropriate notification of co-workers in the case of a workplace injury or death. • Ensure good working relationships with hospitals to notify WorkSafe and compensation agents so that supports can be provided as soon as possible post-incident.
Consistent and clear information and updates	<ul style="list-style-type: none"> • Development of a centralised web portal. • Re-design available information and documentation for workers, co-workers and families to reduce level of documents, clarify language and reduce complexity. In particular, reduce complexity of documentation provided to injured workers by regulatory authorities.
Provision of a single point of contact	<ul style="list-style-type: none"> • Greater regional diversity in FLO positions, including FLO positions that are based in regional hubs. • Considering whether the FLO function would benefit from being independent from WorkSafe’s Investigations area. • Development of a single contact point for injured workers and their families, where appropriate. In particular, the single contact point should support injured workers to claim compensation and through the Return to Work journey.

REFORM OPPORTUNITIES FOR KEY FEATURES

2. Wellbeing supports

Access to tailored wellbeing supports	<ul style="list-style-type: none"> • Provision of brokerage funding or other financial assistance available to those who cannot access workers' compensation. This would address a current gap in immediate supports for family members and injured workers who are not covered by compensation (i.e., sole traders). • Extended accessibility to a free tailored counselling service for injured workers and co-workers (where an EAP may not be available) and removal of existing time-caps on families' access to ACGB and GriefWork.
Peer-to-peer supports	<ul style="list-style-type: none"> • Several peer-to-peer networks currently exist in Victoria and appear to provide a positive experience for affected persons. • Opportunities for further funding (through grant programs) to support their work in advocating for affected persons.

3. Advocacy supports

Independent individual advocacy	<ul style="list-style-type: none"> • Independent advocacy already exists in the system and will be strengthened through other reform opportunities (i.e., extension of FLO position and/or peer-to-peer support networks). • There may be opportunities for greater consistency in referral to advocacy groups and stronger relationships between agencies and single points of contact and the relevant groups. • For injured workers, there are opportunities to strengthen training and assistance for Return-to-Work coordinators and employers in their role as advocates.
Systemic advocacy	<ul style="list-style-type: none"> • The Victorian Workplace Incidents Consultative Committee (WICC) is a best practice mechanism for systemic advocacy. • There is perhaps opportunity to further highlight the experiences of those affected by a workplace illness or workplace suicide.

Table 6 | Opportunities for reform in each supporting factor

REFORM OPPORTUNITIES FOR SUPPORTING FACTORS

Well-coordinated system	<ul style="list-style-type: none"> • Further integration between WorkSafe and Police to ensure families are notified appropriately. • The development of service maps or service networks to support case managers in providing appropriate and up-to-date referrals.
Appropriate technology infrastructure	<ul style="list-style-type: none"> • The development of shared CRM systems to link information and share data across services and agencies. • The development of technology platforms to support affected persons in accessing information, such as a personalised web portal.
An experienced, trained workforce	<ul style="list-style-type: none"> • Preferred qualifications for those working as a FLO or other similar point of contact for affected persons.

REFORM OPPORTUNITIES FOR SUPPORTING FACTORS

Clear guidance and processes

- Practical guidance for WorkSafe's Enforcement Group on when and how to share information with affected persons.
 - Formal triggers for when a FLO is required and should make contact with families following a workplace death or with injured workers and their families.
 - Reporting and advice protocols between compensation agents, technical specialists, and health providers, to ensure case managers can obtain timely access to expert health, legal or financial advice.
 - Development of clear guidelines to identify risks and needs of affected persons and provide appropriate referrals.
-

Appendix C Issues in the broader post-incident system

Further detail on the issues identified in section 1.3 are included below, though noting this list is not exhaustive.

- **Financial assistance to access counselling for bereaved families and the family members of injured workers is not sufficient.**⁸⁸ Following a workplace death, family members can access up to \$6,990 of counselling support from a registered psychologist or social worker.⁸⁹ WorkSafe can also pay for counselling for immediate family members where a worker has been severely injured (up to \$6,990).⁹⁰ Families note that the current payments for counselling support do not cover immediate needs or costs. Of note, to address this gap, this report presents opportunities for increased access to counselling supports, as a service, outside of the entitlements for compensation (see [Opportunity 11](#) | Establish independent critical incident response service for co-workers for further detail). In addition, those with lived experience note there is a gap in the definition of counselling supports covered by WorkSafe and should be extended to include a more holistic set of therapies⁹¹ that better meet the diverse needs of families.
- **Role of Independent Medical Examiners (IMEs) and surveillance in the compensation process.** The WICC and previous reviews of Victoria's management of complex claims raise concerns about the overreliance on and misuse of IMEs and surveillance.⁹² Notably, Peter Rozen QC in his independent review of WorkSafe Victoria's management of complex workers' compensation claims (Rozen 2021)⁹³ found that injured workers have consistently poor experiences with the medico-legal approach of IMEs and their relationship with compensation agents. Injured workers engaged in this project through the WICC raised similar concerns, noting the adverse impact the current IME and surveillance model can have on their recovery and mental health.
- **Limitations in the Return-to-Work model, specifically access to retraining and volunteering programs.** As part of this review, some stakeholders note shortcomings with the Return-to-Work framework for injured workers set out in Part 4 of the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic). Issues include: limited proactive use of retraining pathways, training and oversight of return to work coordinators⁹⁴, barriers to participate in volunteering activities as a pathway to return to work without loss of payments and the unsuitability of a Return-to-Work model for injured workers who cannot return to work⁹⁵.
- **Compassionate leave entitlements are insufficient and for family members (outside of immediate family members) or co-workers it is not always available.** The National Employment Standards only provide employees with an entitlement to two days' paid compassionate leave if a member of their

⁸⁸ Noting that compensation arrangements are currently under review as announced as part of the Families and Injured Workers Reform Package in 2019.

⁸⁹ WorkSafe. (2022). Immediate financial supports. Accessed at: [\[Link\]](#).

⁹⁰ Severe injury is defined as: paraplegia, quadriplegia, amputations, severe head injury, severe eye injury, severe burns, lacerations, electric shock or other injuries giving rise to imminent risk of death. WorkSafe (2022). Severe injury. Accessed at: [\[Link\]](#).

⁹¹ WICC members suggested consideration be given to music therapy, art therapy, animal therapy and sport and recreational activity.

⁹² Rozen, P. (2021). A review of WorkSafe Victoria's management of complex workers' compensation claims, p. 273. Accessed at: [\[Link\]](#).

⁹³ Rozen, P. (2021). A review of WorkSafe Victoria's management of complex workers' compensation claims. Accessed at: [\[Link\]](#).

⁹⁴ Rozen, P. (2021). A review of WorkSafe Victoria's management of complex workers' compensation claims. Accessed at: [\[Link\]](#).

⁹⁵ Currently most injured workers who cannot return to any work are referred to the TAC or enter the welfare system.

immediate family or household⁹⁶ dies, or contracts or develops a life-threatening illness or injury and they are employed on a full-time or part-time basis.⁹⁷ WICC members note that current compassionate leave entitlements are insufficient for affected persons. In addition, affected persons who are not immediate family members of the deceased, who are co-workers, or who are casual employees, do not have a legal right to paid compassionate leave.

- **The WorkSafe investigation and prosecution process is a source of significant additional trauma.** WICC members note that a number of factors in the WorkSafe investigation and prosecution that cause additional harm to affected persons include but are not limited to: failures to investigate thoroughly and establish in detail the circumstances of the death, time delays in the resolution of investigation and prosecution processes (as compared to Police investigations and prosecutions), families feeling like they are unable to have a strong voice in the process (despite victim impact statements) and workplace fatalities not being treated as criminal cases from the outset in the same way that a manslaughter or murder case would be.
- **There is a lack of accountability for implementing change and deterring further unsafe behaviour following a workplace incident.** There are often preventative actions identified following an incident that can reduce the likelihood of future workplace incidents. These are sometimes identified in coronial findings and recommendations. However, WICC members note there is a lack of accountability to implement coronial recommendations. In addition, more accountability for deterring unsafe behaviour is needed as penalties paid by convicted employers following a workplace incident may be insufficient to fully deter further unsafe behaviour.⁹⁸

⁹⁶ Employees can take compassionate leave for other relatives (for example, cousins, aunts and uncles) if they are a member of the employee's household or if their employer agrees.

⁹⁷ Fair Work Ombudsman. (2022). Compassionate & bereavement leave. Accessed at: [\[Link\]](#).

⁹⁸ WICC members note that clarity of charges and convictions when applying for future procurement contracts may be a more useful deterrent.

Bibliography

- Andrews, D. (2021). Keeping Workers Safe From Psychological Harm. Accessed at: [\[Link\]](#).
- Andrews, D. (2021). Supporting Families Through Workplace Fatalities. Accessed at: [\[Link\]](#)
- Asfaw, A., Pana-Cryan, R., and Bushnell P. T. (2012). Incidence and Costs of Family Member Hospitalisation Following Injuries of Workers' Compensation Claimants. *American Journal of Industrial Medicine*, 5(11), 1028-1036. Accessed at: [\[Link\]](#)
- Athamneh, S. (2017). HR Planning for Crisis Management. Accessed at: [\[Link\]](#)
- Australian Government (2020). Commonwealth priorities and eligibility principles: National partnership agreement on legal assistance services. Accessed at: [\[Link\]](#).
- Braaf, S. et al. (2020). Traumatic injury survivors' perceptions of their future: a longitudinal qualitative study. Accessed at: [\[Link\]](#).
- Brijnath, B., et al. (2016). Is clinician refusal to treat an emerging problem in injury compensation systems?. *BMJ Open*, 6(1). Accessed at: [\[Link\]](#)
- Brooks, S., Rubin, J., Greenberg, N. (2019). Traumatic stress within disaster-exposed occupations: overview of the literature and suggestions for the management of traumatic stress in the workplace. *British Medical Bulletin*, 129(1), 25-34. Accessed at: [\[Link\]](#)
- Bucci, N. (2022). Community legal services turn clients away amid funding shortfall as family violence spikes. Accessed at: [\[Link\]](#).
- Carpenter, B., et al. (2020). Final report: Evaluation into State Wise Coronial Assistance Services 2016-2020. Accessed at: [\[Link\]](#)
- Centre for Innovative Justice (2020). Improving support for victims of crime: key practice insights. Accessed at: [\[Link\]](#).
- Centre for Innovative Justice (2020). Strengthening Victoria's Victim Support System: Victim Services Review Final Report. Accessed at: [\[Link\]](#).
- Consumer Affairs Victoria (2021). Financial Counselling Program. Accessed at: [\[Link\]](#).
- Creative Ministries Network (2004). Treated like a Leper – Death at work: the cost.
- DeFraia, G. S. (2016) Workplace Disruption following Psychological Trauma: Influence of Incident Severity Level on Organisations' Post-Incident Response Planning and Execution. *International Journal of Occupational and Environment Medicine*, 7(2), 75-86. Accessed at: [\[Link\]](#)
- Deloitte (2019). The cost of ignoring the mental health and wellbeing of your workforce. Accessed at: [\[Link\]](#)
- Deloitte (2020). Evaluation of Comcare Early Intervention Service Pilot– Executive Summary. Accessed at: [\[Link\]](#)
- Deloitte Access Economics (2016). Regulatory Impact Statement, Regulatory Impact for proposed Occupational Health and Safety Regulations 2017. Accessed at: [\[Link\]](#)
- Department of Veterans' Affairs (2019). Mental health impacts of compensation claim assessment processes on claimants and their families – Final Report. Accessed at: [\[Link\]](#)
- Fair Work Ombudsman. (2022). Compassionate & bereavement leave. Accessed at: [\[Link\]](#).

Financial Counselling Australia (2020). Money on Your Mind: Financial Counselling and Mental Health. Accessed at: [\[Link\]](#)

Hobfoll, S. E., et al. (2021) Five Essential Elements of Immediate and Mid-Term Mass Trauma Intervention: Empirical Evidence. *Psychiatry*, 84(4): 311-346. Accessed at: [\[Link\]](#).

Kilgour, E. & Kosny, A. (2018). Victorian Injured Worker Outcomes Study: Study 1 – A qualitative enquiry into outcomes for injured workers in Victoria who have longer term claims, p. 23. Accessed at: [\[Link\]](#).

knowmore. Financial counselling. Accessed at: [\[Link\]](#).

Matthews, L. R., et al. (2017). Death at Work: Improving Support for Families. Final Report. Accessed at: [\[Link\]](#)

Matthews, L. R., Quinlan, M. G., Bohle, P. (2019). Posttraumatic Stress Disorder, Depression, and Prolonged Grief Disorder in Families Bereaved by a Traumatic Workplace Death: The Need for Satisfactory Information and Support. Accessed at: [\[Link\]](#)

Menschner, C. and Maul, A. (2016). Key Ingredients for Successful Trauma-Informed Care Implementation. Accessed at: [\[Link\]](#).

Myfanwy, M. et al. (2021). Effective elements for workplace responses to critical incidents and suicide – A systematic rapid review of the literature. *International Journal of Environmental Research and Public Health*, 18(9): 4821. Accessed at: [\[Link\]](#).

Nous Group (2020). Jurisdictional arrangements for providing support to families affected by an industrial death – Comparative analysis report. Accessed at: [\[Link\]](#)

Nous Group (2020). Jurisdictional arrangements for providing support to families affected by an industrial death – Scoping study outcomes report.

Occupational Health and Safety Act 2004 (Vic)

Pearce, T., Bugeja, L., Wayland, S., Maple, M. (2020). Effective elements for workplace responses to critical incidents and suicide – A systematic rapid review of the literature. Accessed at: [\[Link\]](#)

Royal Commission into Victoria's Mental Health System (2020). Final Report: Summary and recommendations. Accessed at: [\[Link\]](#).

Rozen, P. (2021). A review of WorkSafe Victoria's management of complex workers' compensation claims. Accessed at: [\[Link\]](#).

Safe Work Australia (2018). Taking Action: A best practice framework for the management of psychological claims in the Australian workers' compensation sector. Accessed at: [\[Link\]](#).

Senate Standing Committee on Education and Employment (2018). They never came home - the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia, recommendation 29. Accessed at: [\[Link\]](#).

Victims of Crime Commissioner (2021). Submission to the Legislative Council Legal and Social Issues Committee's Inquiry into Victoria's Justice System. Accessed at: [\[Link\]](#); Victorian Law Reform Commission (2016). The Role of Victims of Crime in the Criminal Trial Process. Accessed at: [\[Link\]](#).

Victims' Charter Act 2006 (Vic)

Victorian State Government (2022). Independent Review into Complex Workers' Compensation Claims Management: Victorian Government Response. Accessed at: [\[Link\]](#)

Victorian State Government (2022). Proposed OHS Amendment (Psychological Health) Regulations, proposed regulation 5. Accessed at: [\[Link\]](#).

We Are Union (2017). OHS Rep: A death at the workplace. Accessed at: [\[Link\]](#)

Windermere (2021). Windermere 1800 Bushfire Recovery Support Program: achievement report March 2019 – December 2020. Accessed at: [\[Link\]](#).

WorkSafe (2020). Enforcement Group – Policy for Victims and Persons Adversely Affected by Crime. Accessed at: [\[Link\]](#)

WorkSafe (2021). Claims Manual: 2.6.1.1 Time limits to determine liability. Accessed at: [\[Link\]](#)

WorkSafe (2022). Information and support. Accessed at: [\[Link\]](#).

WorkSafe (2022). Severe injury. Accessed at: [\[Link\]](#).

WorkSafe (2022). Victoria's provisional payments - better support for mental injuries. Accessed at: [\[Link\]](#).

WorkSafe Careers (2022). Job advertisement for Advisor – Psychosocial. Accessed 5 September 2022 at: [\[Link\]](#)

WorkSafe. (2022). Immediate financial supports. Accessed at: [\[Link\]](#).

WorkSafe.qld.gov.au (2022). Safety Advocates. Accessed at: [\[Link\]](#).