

Response to question on notice as provided by the NSW Teachers Federation.

The Hon. GREG DONNELLY: Can I just foreshadow, because we have run out of time, that with respect to Ms Flores' very useful submission in which you made specific reference to the matter of secondary psychological injuries, as opposed to a psychological injury, I will put a question on notice to all asking whether or not you are aware of if there has been any work done to attempt to work out what might be the cost associated with the effect of secondary psychological injuries for the police, education and generally the labour force of New South Wales.

Response:

Federation does not have access to any numerical data which would provide information on monetary cost of secondary psychological injuries among our members.

We can, however, provide a generalised example of the faults in the present system which can be the catalyst for a member with an initial physical injury also suffering a psychological injury.

In some cases the physical injury is in fact the visible outcome of a workplace situation which was also highly stressful. A generalised example would be that of a teacher in a high needs School for Specific Purposes (SSP). Students in this school have difficulties controlling their own behaviours and emotions and even though the school has used all available resources to support the teacher and the students, there are times that it is necessary to intervene between students. Two students were in verbal conflict, the teacher intervened to move between the students to prevent injury to others. In doing so she fell and badly injured her shoulder. The Workers Compensation scheme only considers this to be a physical injury so scans are arranged and the teacher, who is in too much pain to return safely to her high needs class, remains at home.

At this point the system can begin to fail the teacher. The injured shoulder is a physical injury, but the workplace was stressful on a day to day basis before the injury. Unless the injured teacher proactively mentions to her Nominated Treating Doctor (NTD) that as well as pain in her shoulder she was also under psychological strain, only her physical needs will be considered as she prepares to return to work. The doctor can request psychological support for the teacher, but the insurer can make the decision that rather than add this as treatment for the physical injury, a separate psychological claim must be lodged.

Another point at which physical injuries can be compounded by psychological injuries is when there is a delay in suitable duties. To continue with this hypothetical teacher, it would not be possible for her to teach her appointed class with her arm in a sling, so the NTD provides advice that she is well enough to team teach in a mainstream class. Her permanent position is in an SSP so her suitable duties must be at another school. There is often a delay of weeks in sourcing suitable duties for the teacher and in the meantime they are left alone and this delay leads to a psychological injury, which was not previously on the Certificate of Capacity, is recognised by the NTD and is added to the claim.

There are two points at which the length and cost of this claim could have been reduced. One is a recognition that workers with physical injuries are often under workplace stress before the physical accident or experience trauma as a result of the accident. It could be cost effective to provide counselling or psychological support as part of a physical claim, to enable a more effective and timely return to work. The second is that to leave an injured worker out of the workplace once they have requested suitable duties can result in a secondary psychological claim and further cost in both treatment expenses and weekly payments.