

Queensland workers' compensation scheme statistics

2021–22

Pocket book

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2021–22 Scheme highlights

New claims down 4.3 per cent



Psychological claims
down 2.4 per cent

**Statutory claim rate is
down 8.8 per cent**



Down from 37.5 to 34.2 claims
per 1,000 employed people

**Common law claims up
1.4 per cent**



**Scheme payments up
5.7 per cent**



**Average work days lost
around 72 days**



**RTW rate down to less than
91.7 per cent***



*Please refer to page 13 for further information on the return to work rate.

Introduction

This booklet provides headline indicators of the Queensland workers' compensation scheme, including:

- claims information reported by Queensland's workers' compensation insurers for statutory and common law claims
- scheme-wide information about the major regulatory services including
 - administrative review of insurers' decisions
 - appeals to the Queensland Industrial Relations Commission and the Industrial Court
 - Medical assessment tribunals.

All figures reported as at 30 June 2022 are true and correct as supplied by insurers.

Queensland's workers' compensation scheme

The *Workers' Compensation and Rehabilitation Act 2003* (the Act) and *Workers' Compensation and Rehabilitation Regulation 2014* establish Queensland's system of workers' compensation. Under the Act, an employer must insure or self-insure against work related injury sustained by a worker of the employer where work is a significant contributing factor to the injury.

Queensland's workers' compensation scheme (encompassing both premium-paying employers and 27 self-insurers) covers approximately 174,000 employers and an estimated 2.6 million employed people.

Queensland's statutory workers' compensation scheme is a no fault scheme. An injured worker who meets the Act criteria is entitled to statutory compensation (as opposed to common law damages) regardless of whether it is the worker's or the employer's fault that the injury occurred. Statutory compensation includes income replacement, medical expenses, rehabilitation and return to work expenses and lump sum compensation for permanent impairment.

Issues of fault and negligence (including contributory negligence by a worker) may be dealt with in a common law action for damages.

The Office of Industrial Relations

The Act is administered by Workers’ Compensation Regulatory Services, within the Office of Industrial Relations, Department of Education (Qld).

Workers’ Compensation Regulatory Services performs a range of functions under delegation from the Workers’ Compensation Regulator. These functions include regulator, facilitator of legal and medical dispute resolution, educator and promoter of the workers’ compensation scheme in Queensland.

Scheme at a glance

Overview				
		2021–22	2020–21	% change from previous year
Statutory claims	New claims	90,424	94,502	-4.3
	Claims per 1,000 employed people	34.2	37.5	-8.8
	New psychological claims (%)	6.1%	6.0%	0.1
	Compensated fatalities	73	55	
	Payments (\$M)	\$1,429.0	\$1,299.3	10.0
Statutory decisions	Average time to decide (days)	11.4	9.5	20.1
	Rejection rate – physical (%)	3.8%	3.7%	0.1
	Rejection rate – psychological (%)	50.3%	51.5%	-1.2
Outcomes	Average work days lost (days) (time lost claims)	72.0	63.5	13.4
	Return to work rate (%)	< 91.7%*	93.9%	> 2.2
Common law	New claims	3,286	3,241	1.4
	Payments (\$M)	\$520.2	\$544.5	-4.5
	Average damages cost (excluding nil settlements)	\$175,772	\$172,524	1.9
Regulator functions	Review applications	2,506	2,570	-2.5
	Appeals served	236	175	34.9
	MAT referrals	3,066	3,130	-2.0

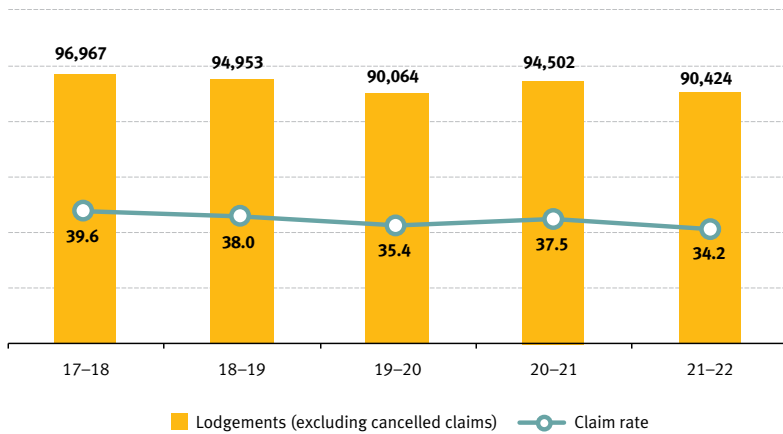
*Please refer to page 13 for further information on the return to work rate.

Total statutory claim lodgements

The following figure shows claim rates and claim lodgements in the scheme for the past five years. Lodgements for 2021–22 of 90,424 have decreased by 4.3 per cent from 2020–21 of 94,502. The claim rate between the two years has decreased 8.8 per cent, down from 37.5 to 34.2 claims per 1,000 employed people.

Over the five years to 2021–22, claim lodgements have reduced (6.7 per cent) while the claim rate also reduced (13.6 per cent) over the period.

01 Claim rates (per 1,000 employed people) and lodgements 2017–18 to 2021–22



Many factors influence the number of claims lodged and the overall claim rate in the Queensland workers' compensation scheme. Some of the factors that have contributed to changes in numbers of lodgements and the overall injury claim rate over the years include:

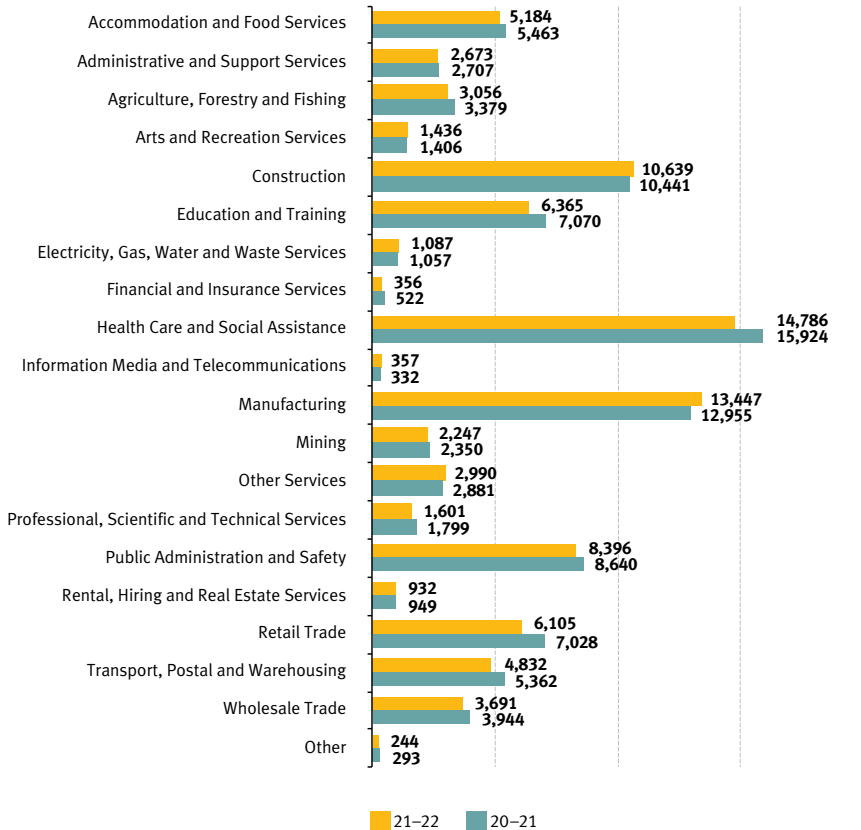
- injury prevention initiatives and interventions by Workplace Health and Safety Queensland and WorkCover Queensland
- the changing industrial/services mix of the Queensland economy
- variations in the overall numbers of workers in the workforce
- work process changes within industry (e.g. automation, improved workplace health and safety practices)
- other external factors affecting economic activity (e.g. pandemic-related health orders).

Claim lodgements by industry

The health care and social assistance industry accounted for the largest proportion of claim lodgements with 16.4 per cent of all scheme lodgements.

The largest claim increases were in manufacturing, up 3.8 per cent from 12,955 to 13,447, and construction, up 1.9 per cent from 10,441 to 10,639.

02 Statutory claim lodgements by industry 2020–21 and 2021–22

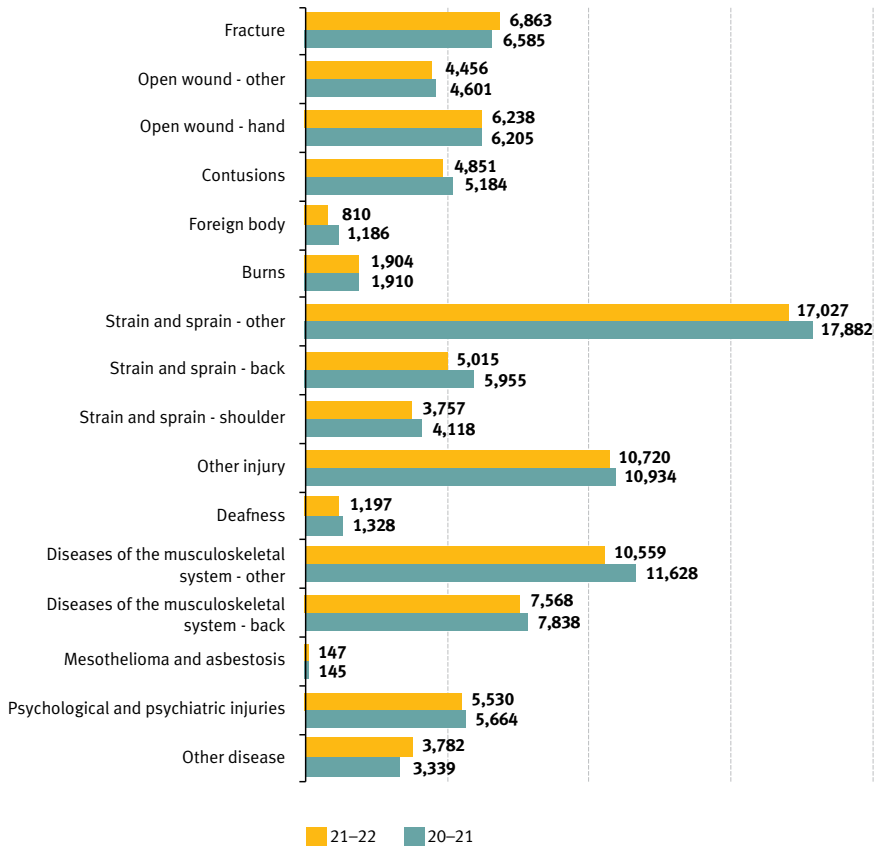


For industry ‘Other’, this includes injuries before July 1997 (pre-ANZSIC classifications), household workers, workplace personal injury insurance (self-employed, working directors) and volunteers.

Claim lodgements by injury type

Strain and sprain injury claims accounted for over a quarter (28.5 per cent) of all injuries lodged in 2021–22. Of these, the back was the major bodily location (accounting for 5.5 per cent of all lodgements).

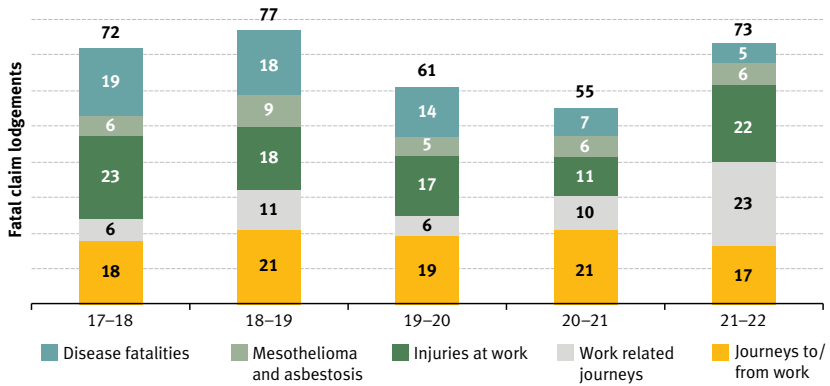
03 Statutory claim lodgements by injury type 2020–21 and 2021–22



Compensated fatalities

Compensated fatalities are included in the year a workers' compensation claim is lodged, not the year the worker died. Considerable time can elapse between the death of an injured worker and when the claim is lodged. Because these figures are subject to development over time, comparisons between years have not been made.

04 Fatal claim lodgements 2017–18 to 2021–22

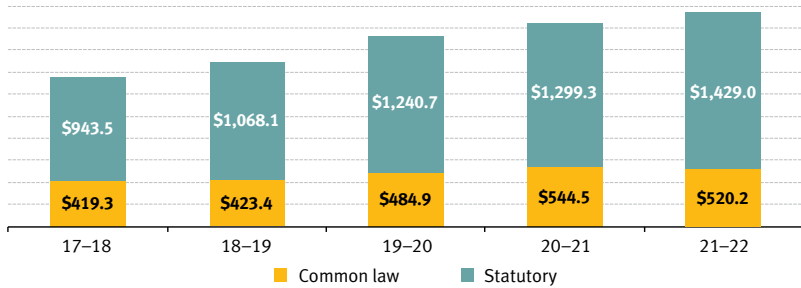


Statutory payments

Total scheme payments increased by 5.7 per cent, with statutory payments increasing by 10 per cent and common law payments decreasing by 4.5 per cent.

Total payments for workers' compensation claims in 2021–22 were \$1,949.2 million. Common law payments made up 26.7 per cent (\$520.2 million) and statutory claim payments made up 73.3 per cent (\$1,429.0 million).

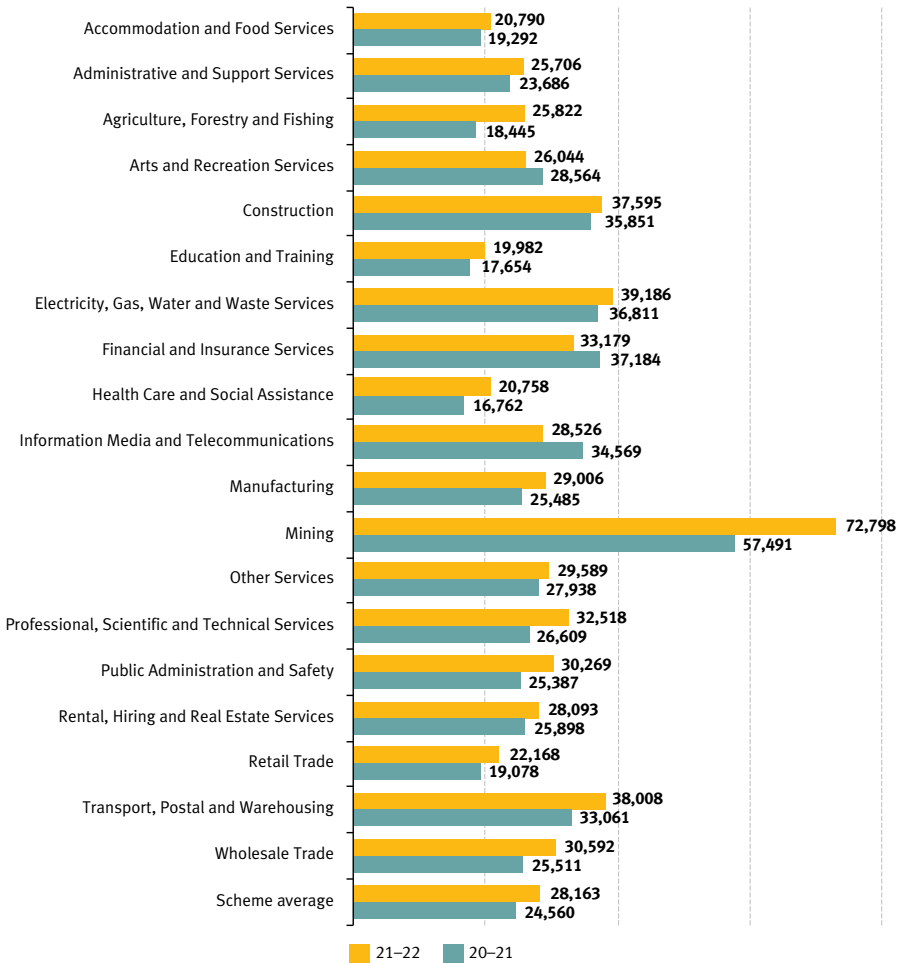
05 Scheme payments 2017–18 to 2021–22



Average statutory cost by industry

Of all industry claims, those from the mining industry had the highest average finalised time lost claim cost (\$72,798), partly due to the higher wages paid in the industry.

06 Average finalised time lost claim costs by industry 2020–21 and 2021–22

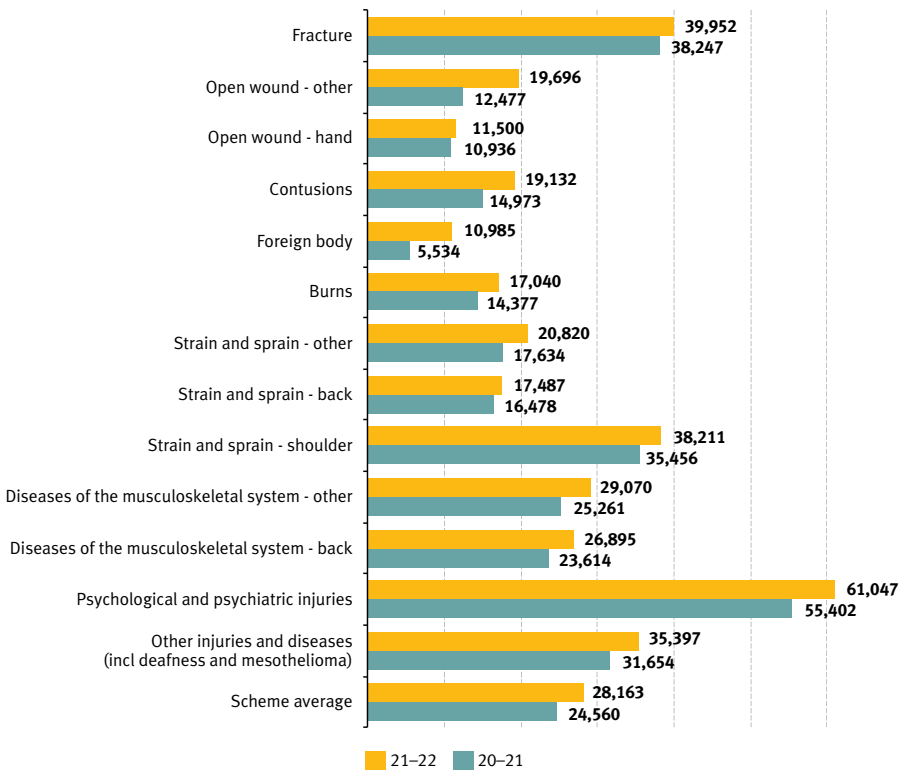


Average statutory cost by injury type

Although psychological and psychiatric injury claims account for only 4.1 per cent of all time lost claims finalised, they are the most expensive, with an average finalised time lost claim cost of \$61,047 in 2021–22.

In 2021–22, the average duration of a psychological or psychiatric injury claim was 181.4 days (168.5 days in 2020–21) compared with the overall scheme average of 72 days. The long duration of psychological and psychiatric injury claims affects the average finalised time lost claim cost.

07 Average finalised time lost claim cost by injury type 2020–21 and 2021–22



Return to work (RTW) outcomes

The RTW rate for the 2021–22 financial year is likely to be less than 91.7 per cent.

During the 2021–22 financial year, WorkCover Queensland identified errors in recording the RTW outcome (for more information refer to the WorkCover Queensland Annual Report 2021–22). Based on the analysis, WorkCover Queensland advises there is a 95.0 per cent probability that the true RTW rate is between 84.4 and 91.5 per cent with a margin of error of 3.5 per cent. WorkCover Queensland self-reported this compliance issue to Workers' Compensation Regulatory Services and is currently actioning a number of improvement opportunities to address this issue.

The RTW rate for self-insured employers is 94.5 per cent.

Common law lodgements

In 2021–22, common law claim lodgements increased by 1.4 per cent. The figure below shows the common law claim lodgements over the past eight years, by the date of injury.

The majority of common law claims lodged in any given year are for injuries that occurred one to three years prior.

08 Common law claim lodgements 2014–15 to 2021–22 by injury year

Injury year	Lodgement year							
	2014–15	2015–16	2016–17	2017–18	2018–19	2019–20	2020–21	2021–22
Pre 1/07/2005	40	28	31	22	24	31	25	26
2005–06	5	2	1	2	2	0	2	1
2006–07	4	3	0	4	3	1	2	0
2007–08	12	6	4	4	4	1	1	1
2008–09	13	10	3	4	0	4	2	4
2009–10	18	12	4	3	1	0	0	1
2010–11	44	21	13	8	4	1	2	0
2011–12	866	40	12	12	2	6	5	4
2012–13	1,237	855	27	12	11	8	6	5
2013–14	716	852	634	47	11	6	6	4
2014–15	41	576	939	672	35	20	8	8
2015–16	0	108	1,008	1,003	737	61	28	15
2016–17	0	0	116	866	1,048	772	122	44
2017–18	0	0	0	96	863	1,075	781	127
2018–19	1	0	0	0	96	914	1,196	918
2019–20	1	0	0	0	0	103	963	1,226
2020–21	0	0	0	0	0	0	92	832
2021–22	0	0	0	0	0	0	0	70
Total	2,998	2,513	2,792	2,755	2,841	3,003	3,241	3,286

Total common law payments

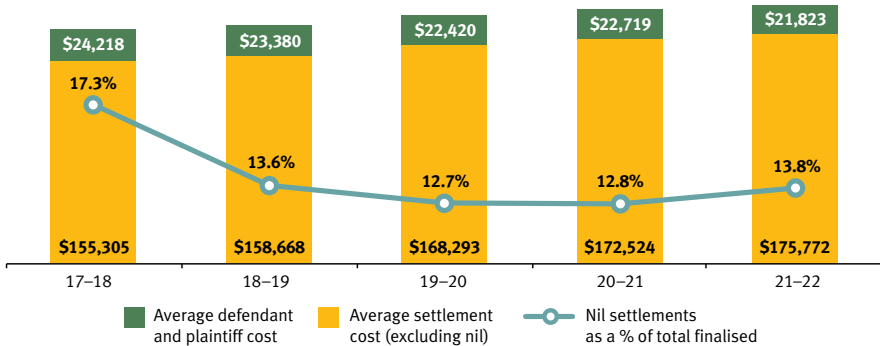
In 2021–22, common law claims cost a total of \$520.2 million. This represented a 4.5 per cent decrease from the 2020–21 cost of \$544.5 million.

Average common law settlement

Over the past year, the average settlement cost of a finalised common law claim (excluding nil settlements) has increased 1.9 per cent from \$172,524 in 2020–21 to \$175,772 in 2021–22. The average defendant and plaintiff cost has reduced by 3.9 per cent (\$22,719 in 2020–21 to \$21,823 in 2021–22).

In 2021–22, there were 398 common law claims finalised with a nil settlement.

09 Average costs for finalised common law claims 2017–18 to 2021–22

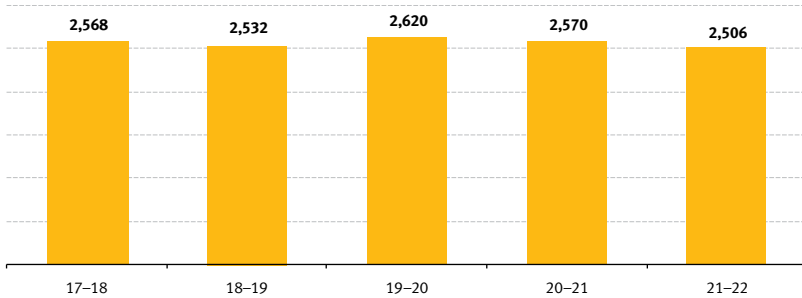


Review applications received

A party aggrieved by an insurer decision may apply to the Workers' Compensation Regulator for review.

Review applications received have decreased (2.5 per cent), down from 2,570 in 2020–21 to 2,506 in 2021–22.

10 Review applications received 2017–18 to 2021–22



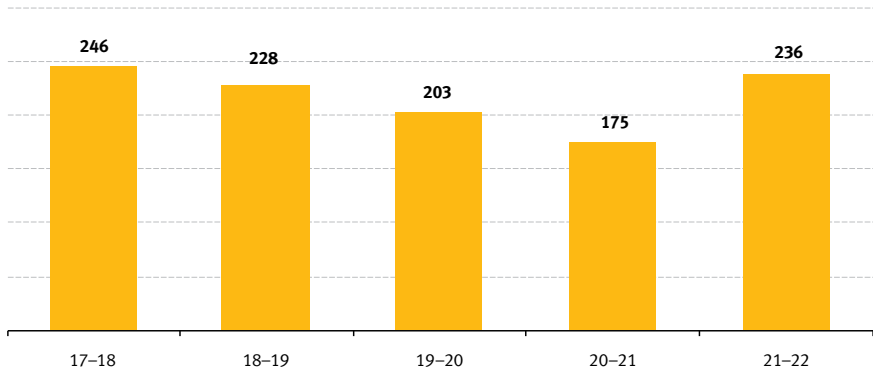
Appeals of review decisions

A party aggrieved by a decision of the Workers' Compensation Regulator may apply for appeal. In December 2010, the Queensland Industrial Relations Commission (QIRC) replaced the Industrial Magistrates Court as the appeal body for appeals of reviewable decisions (except for appeals about WorkCover Queensland premium decisions).

In 2021–22, 236 appeals were lodged with the QIRC. Of these, four further appealed in the Industrial Court.

Appeal lodgements have experienced an increase of 34.9 per cent in 2021–22 compared with 2020–21.

11 Appeals lodged 2017–18 to 2021–22

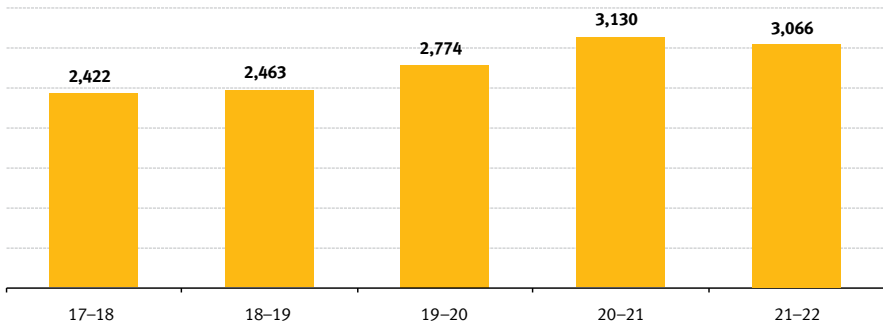


Medical assessment tribunals

Medical assessment tribunals (MATs) are coordinated by the Workers' Compensation Regulator to determine ongoing incapacity of an injured worker or to assess permanent impairment.

In 2021–22, 3,066 cases were referred to a MAT. This is a 2.0 per cent decrease from the 3,130 cases referred in 2020–21.

12 Medical assessment tribunal referrals received 2017–18 to 2021–22



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Obtaining information

Enquiries about technical aspects of this publication should be forwarded to the Office of Industrial Relations at oirdata@oir.qld.gov.au.

Providing feedback

We welcome your feedback on this statistics publication. You can provide feedback to safe@oir.qld.gov.au. PN12823

