

# Queensland workers' compensation scheme statistics

## 2020–21

### Pocket book



## 2020-21 Scheme highlights

**New claims up 4.9 per cent**



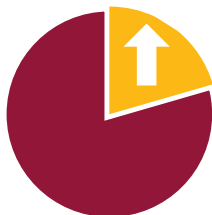
Psychological claims up  
7.4 per cent

**Statutory claim rate increased**



Up from 35.4 to 37.5 claims  
per 1,000 employed people

**Common law claims up  
7.7 per cent**



**Scheme payments have  
increased by 6.8 per cent**



**Work days lost around  
64 days**



**RTW rate stable at around  
94 per cent**



# 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 2021, 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 28 self-insurers) covers approximately 170,000 employers and an estimated 2.5 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 the Office of Industrial Relations (OIR), Queensland Government.

OIR 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

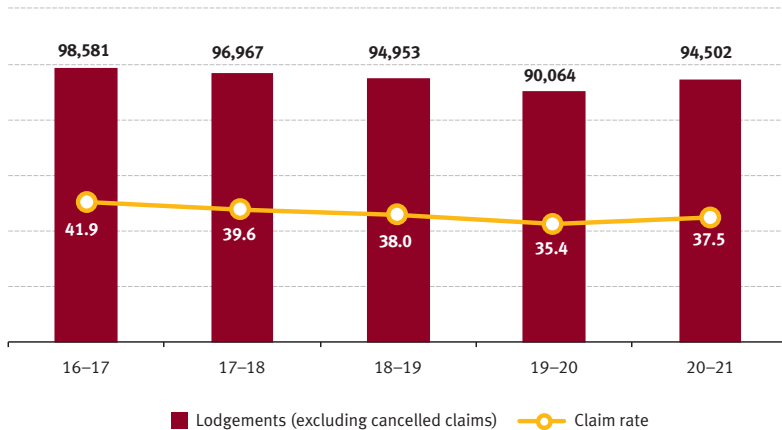
Overview				
		2020–21	2019–20	% change from previous year
Statutory claims	New claims	94,502	90,064	4.9
	Claims per 1,000 employed people	37.5	35.4	5.9
	New psychological claims (%)	6.0%	5.9%	0.1
	Compensated fatalities	64	61	
	Payments (\$M)	\$1,299.3	\$1,240.7	4.7
Statutory decisions	Average time to decide (days)	9.5	8.5	11.8
	Rejection rate – physical (%)	3.7%	3.9%	-0.2
	Rejection rate – psychological (%)	51.5%	53.0%	-1.5
Outcomes	Average work days lost (days) (time lost claims)	63.5	55.8	13.8
	Return to work rate (%)	93.9%	94.0%	-0.1
Common law	New claims	3,232	3,001	7.7
	Payments (\$M)	\$544.5	\$484.9	12.3
	Average damages cost (excluding nil settlements)	\$172,472	\$168,355	2.4
Regulator functions	Review applications	2,570	2,620	-1.9
	Appeals served	175	203	-13.8
	MAT referrals	3,130	2,774	12.8

## Total statutory claim lodgements

The following figure shows claim rates and claim lodgements in the scheme for the past five years. Lodgements for 2020–21 of 94,502 have increased by 4.9 per cent from 2019–20 of 90,064. The claim rate between the two years has increased 5.9 per cent, up from 35.4 to 37.5 claims per 1,000 employed people.

Over the five years to 2020–21, claim lodgements have reduced (4.1 per cent) while the claim rate also reduced (10.5 per cent reduction) over the period.

### 01 Claim rates (per 1,000 employed people) and lodgements 2016–17 to 2020–21



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:

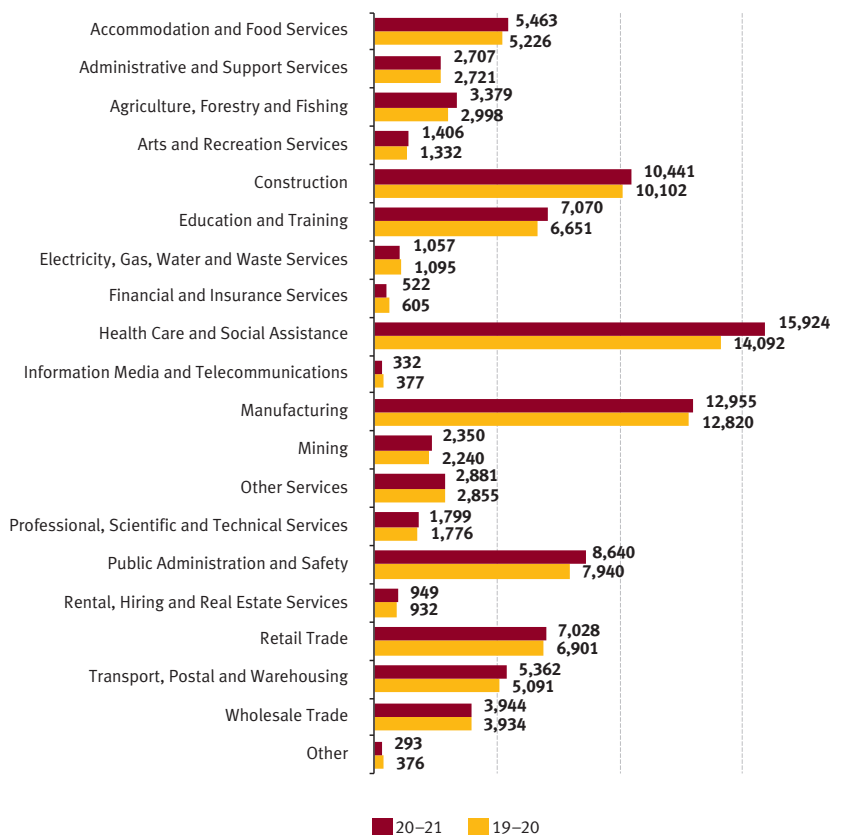
- injury prevention initiatives and interventions by Workplace Health and Safety Queensland and WorkCover Queensland
- the changing industrial/services mix of the Queensland economy
- variations in the overall numbers of workers in the workforce
- work process changes within industry (e.g. automation, 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 16.9 per cent of all scheme lodgements.

The largest claim increases were in the health care and social assistance industry, up 13.0 per cent from 14,092 to 15,924 and the public administration and safety industry, up 8.8 per cent from 7,940 to 8,640.

## 02 Statutory claim lodgements by industry 2019–20 and 2020–21

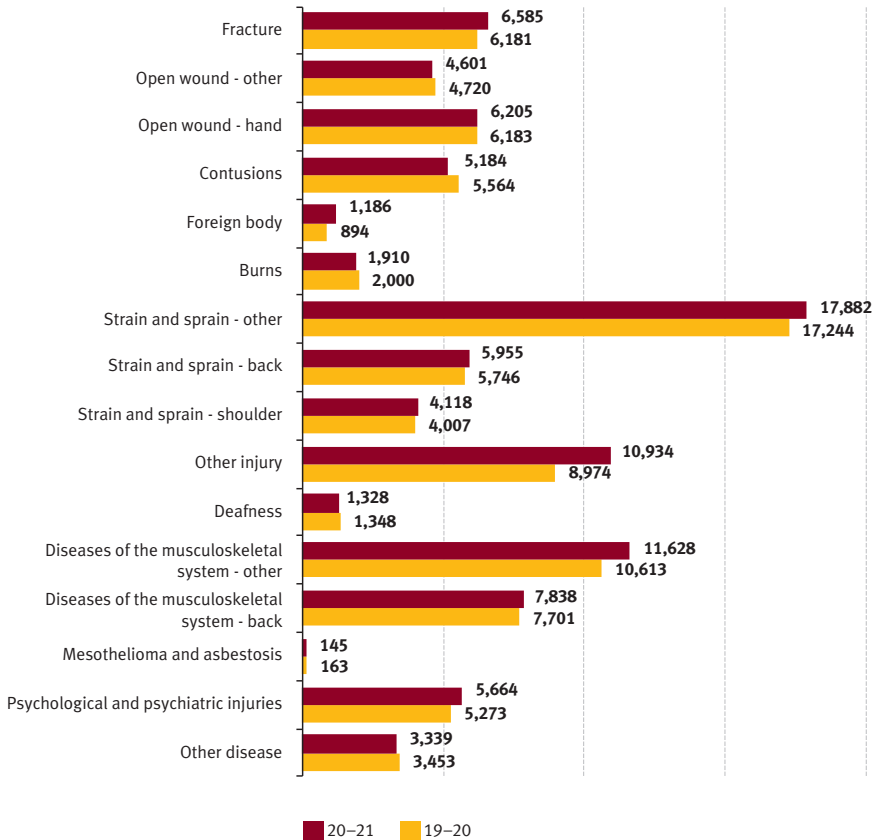


For industry 'Other', this includes injuries before July 1997 (pre-ANZSIC classifications), household workers, workplace personal injury insurance (self-employed, working directors) and volunteers.

## Claim lodgements by injury type

Strain and sprain injury claims accounted for almost a third (29.6 per cent) of all injuries lodged in 2020–21. Of these, the back was the major bodily location (accounting for 6.3 per cent of all lodgements).

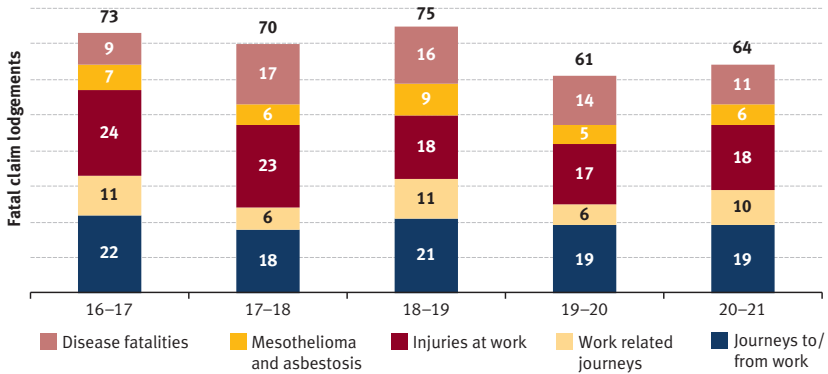
### 03 Statutory claim lodgements by injury type 2019–20 and 2020–21



# Compensated fatalities

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

## 04 Fatal claim lodgements 2016–17 to 2020–21

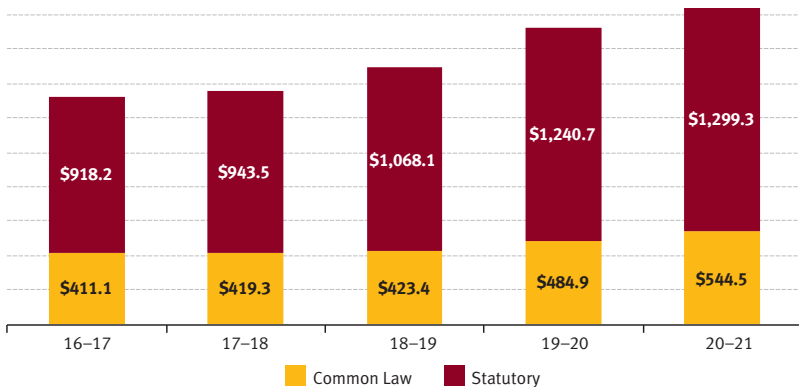


# Statutory payments

The total scheme payments increased by 6.8 per cent, with statutory payments increasing by 4.7 per cent and common law payments increasing by 12.3 per cent.

Total payments for workers' compensation claims in 2020–21 were \$1,843.8 million. Common law payments made up 29.5 per cent (\$544.5 million) and statutory claim payments made up 70.5 per cent (\$1,299.3 million).

## 05 Scheme payments 2016–17 to 2020–21

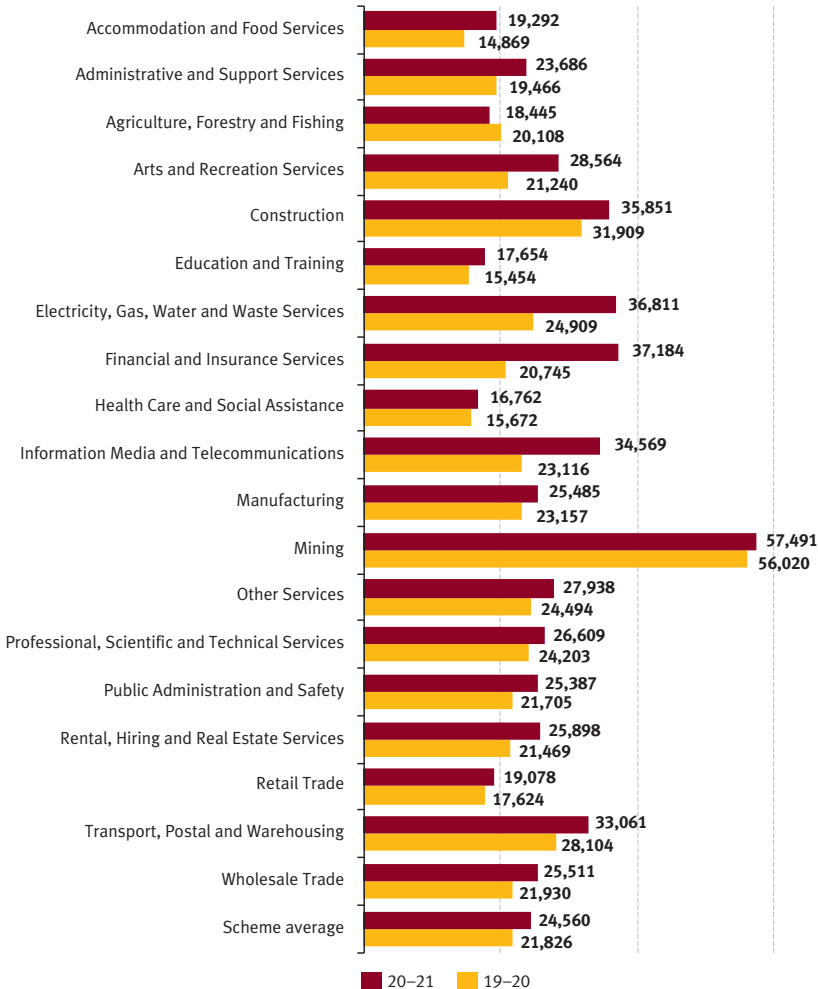




## Average statutory cost by industry

Of all industry claims those from the mining industry had the highest average finalised time lost claim cost (\$57,491) partially due to the higher wages paid in the industry.

### o6 Average finalised time lost claim costs by industry 2019–20 and 2020–21

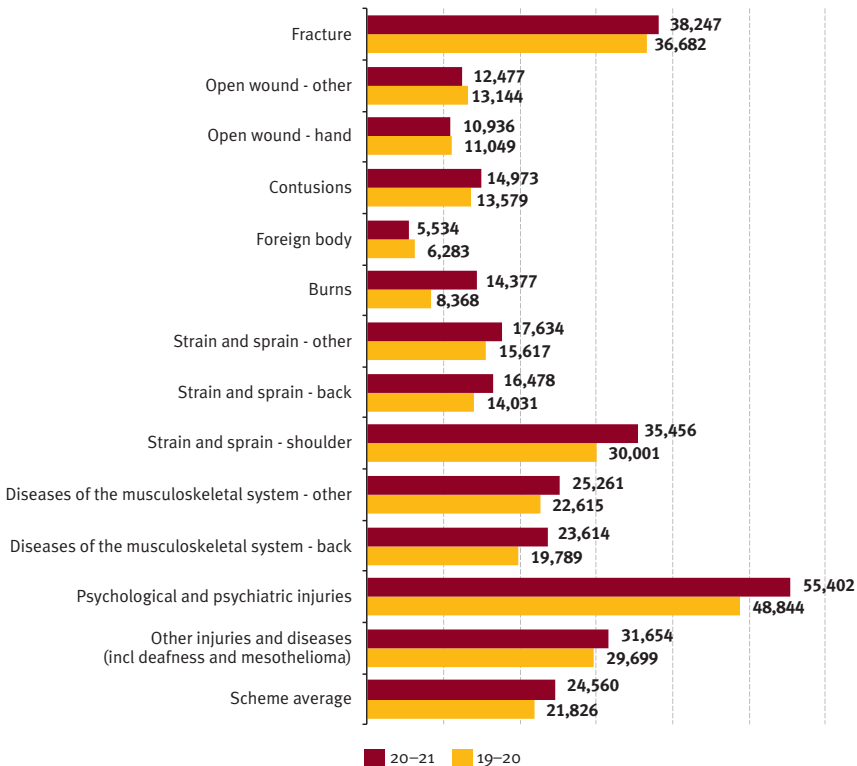


## Average statutory cost by injury type

Although psychological and psychiatric injury claims account for only 3.5 per cent of all time lost claims finalised, they are the most expensive with an average finalised time lost claim cost of \$55,402 in 2020–21.

In 2020–21, the average duration of a psychological or psychiatric injury claim was 168.5 days (151.3 days in 2019–20) compared with the overall scheme average of 63.5 days. It is the long duration of psychological and psychiatric injury claims that impacts on the average finalised time lost claim cost for these claims.

### 07 Average finalised time lost claim cost by injury type 2019–20 and 2020–21



## Return to work (RTW) outcomes

Returning an injured worker to the same job with the same employer is the best outcome that can be achieved on a claim. The following figure shows the RTW outcome of claims reported at the time the claim closed. As the figure illustrates, this is the outcome achieved in most cases, with 87.0 per cent of injured workers who had time off work returning to the same job and the same employer.

In 2020–21, 93.9 per cent of injured workers returned to some type of employment (94.0 per cent in 2019–20).

### o8 Return to work status of finalised time lost claims 2019–20 and 2020–21

	2019–20		2020–21	
	Number	% of time lost claims	Number	% of time lost claims
Fit for work: same job/tasks with same employer	40,633	88.0	39,837	87.0
Fit for work: same job/tasks with different employer	646	1.4	684	1.5
Fit for work: different job/tasks with same employer	552	1.2	582	1.3
Fit for work: different job/tasks with different employer	1,602	3.4	1,899	4.1
Fit for work: no job	810	1.8	899	2.0
Fit for work: worker does not return	1,061	2.3	914	2.0
Not fit for work	780	1.7	878	1.9
Alternative outcome not claim related	114	0.2	75	0.2
<b>Total</b>	<b>46,198</b>	<b>100</b>	<b>45,768</b>	<b>100</b>

Note: For the purpose of the above figure only, all deceased injured workers have been excluded.

## Common law lodgements

In 2020–21, common law claim lodgements increased by 7.7 per cent. The figure below shows the common law claim lodgements over the past eight years, by the date of injury.

### 09 Common law claim lodgements 2013–14 to 2020–21 by injury year

	Lodgement year							
Injury year	2013–14	2014–15	2015–16	2016–17	2017–18	2018–19	2019–20	2020–21
Pre 01/07/2005	68	40	28	30	21	23	28	14
2005–06	6	5	2	1	2	2	0	2
2006–07	5	4	3	0	4	3	1	2
2007–08	16	12	6	4	4	4	1	1
2008–09	22	13	10	3	4	0	4	2
2009–10	53	18	12	4	3	1	0	0
2010–11	948	44	21	13	8	4	1	2
2011–12	1,436	866	40	12	12	2	6	5
2012–13	1,526	1,237	855	27	12	11	8	6
2013–14	148	716	852	634	47	11	6	6
2014–15	0	41	576	940	672	35	20	7
2015–16	0	0	108	1,008	1,003	739	61	28
2016–17	0	0	0	116	866	1,048	772	122
2017–18	0	0	0	0	96	863	1,075	786
2018–19	0	0	0	0	0	96	915	1,195
2019–20	0	0	0	0	0	0	103	961
2020–21	0	0	0	0	0	0	0	93
<b>Total</b>	<b>4,228</b>	<b>2,996</b>	<b>2,513</b>	<b>2,792</b>	<b>2,754</b>	<b>2,842</b>	<b>3,001</b>	<b>3,232</b>

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

## Total common law payments

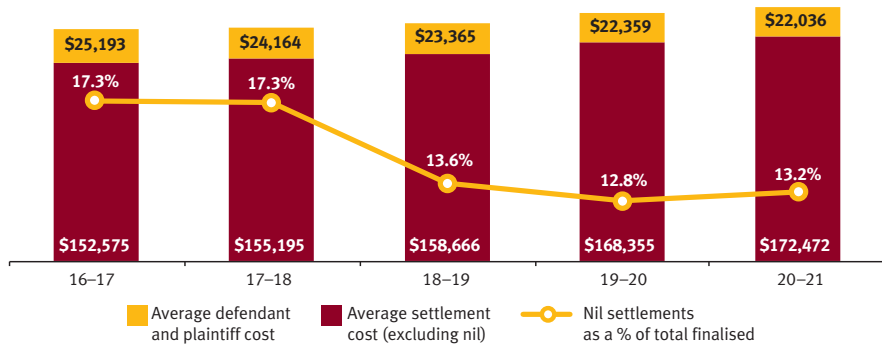
In 2020–21, common law claims cost a total of \$544.5 million. This represented a 12.3 per cent increase from the 2019–20 cost of \$484.9 million.

## Average common law settlement

Over the past year, the average settlement cost of a finalised common law claim (excluding nil settlements) has increased 2.4 per cent from \$168,355 in 2019–20 to \$172,472 in 2020–21. The average defendant and plaintiff cost has reduced by 1.4 per cent (\$22,359 in 2019–20 to \$22,036 in 2020–21).

In 2020–21, there were 400 common law claims finalised with a nil settlement.

### 10 Average costs for finalised common law claims 2016–17 to 2020–21

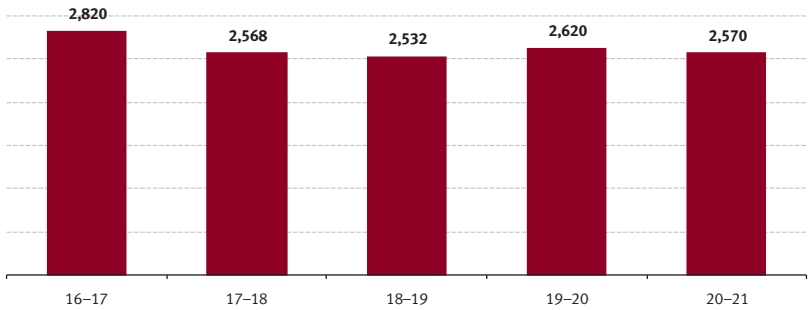


# Review applications received

A party aggrieved by an insurer decision may apply to OIR for review.

Review applications received have decreased (1.9 per cent), down from 2,620 in 2019–20 to 2,570 in 2020–21.

## 11 Review applications received 2016–17 to 2020–21



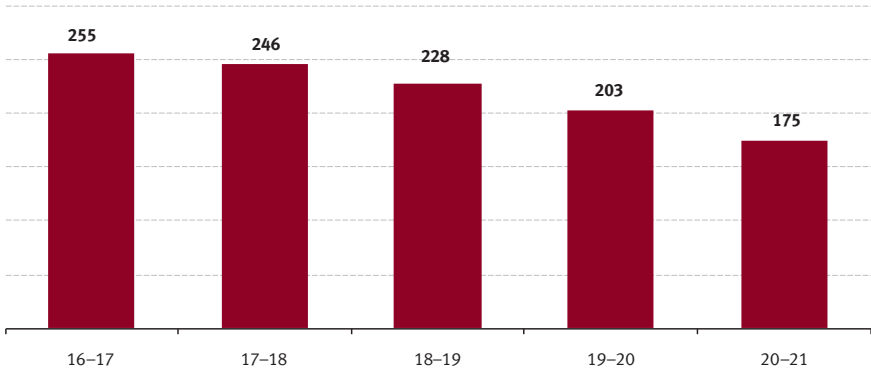
# Appeals of review decisions

A party aggrieved by a decision of OIR 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 2020–21, 175 appeals were lodged with the QIRC. Of these, two further appealed in the Industrial Court.

Appeal lodgements have experienced a reduction of 13.8 per cent in 2020–21 compared with 2019–20.

## 12 Appeals lodged 2016–17 to 2020–21

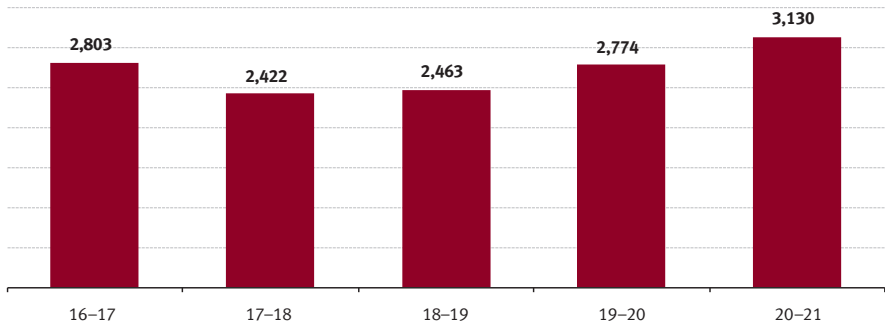


# Medical assessment tribunals

Medical assessment tribunals (MATs) are coordinated by OIR to determine ongoing incapacity of an injured worker or the assessment of permanent impairment.

In 2020–21, 3,130 cases were referred to a MAT. This is a 12.8 per cent increase from the 2,774 cases referred in 2019–20.

## 13 Medical assessment tribunal referrals received 2016–17 to 2020–21





## The State of Queensland 2021



Unless otherwise noted, this document is available under a Creative Commons Attribution 4.0 International Licence (<https://creativecommons.org/licenses/by-nd/4.0/>). You are free to copy and redistribute the work, so long as you attribute The State of Queensland. The material presented in this publication is distributed by the Queensland Government for information only and is subject to change without notice. The Queensland Government disclaims all responsibility and liability (including liability in negligence) for all expenses, losses, damages and costs incurred as a result of the information being inaccurate or incomplete in any way and for any reason.

### Obtaining information

Enquiries about technical aspects of this publication should be forwarded to the Office of Industrial Relations at [oirdata@oir.qld.gov.au](mailto: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](mailto:safe@oir.qld.gov.au). PN12713

