

# What you need to know about your review.

Q-COMP has received your application for review, and a Review Officer will be allocated to you shortly. Please take time to read the information below which outlines the review process. You will have an opportunity to ask any questions or clarify the information below when your Review Officer contacts you shortly.

## What is the process of a review?

The review is conducted 'on the papers' - this means a review of all the documents provided by the Insurer, i.e. your entire claim file, and any additional information you or another party provides during the review process.

Q-COMP does not re-investigate matters, which means that we will not request further information. This is because, as the regulatory authority, Q-COMP must remain impartial and cannot request or suggest a party provide particular information that may have an effect on the review. However, if further information is needed to clarify an issue in order to make a decision, we will ask the Insurer to obtain it.

The review decision on your application for review is due 25 working days after it is lodged, however there are some circumstances where this might be extended but this will be communicated to you

The decision is communicated in writing.

**Queensland Council of Unions** provides a free workers' compensation advisory service and can help you with your review. Tollfree call **1800 102 166**

## Types of decisions

The decisions that can be made are:

**Confirm** - the Insurer's decision does not change.

**Vary** - the Insurer's decision is varied.

**Set aside** - the Insurer's decision has been changed and they will take the necessary action.

**Set aside undecided** - the Insurer's decision has been set aside and the matter returned to them with specific instructions prior to making a fresh decision.

## Right of appearance

You have the opportunity to meet and discuss your review with the Review Officer deciding your application. This is called a right of appearance and can be undertaken either in person, on the telephone or via video conference. The right of appearance is your opportunity to provide the Review Officer information as to what you consider are the key elements that are relevant to your review.

A right of appearance is not a formal interview undertaken by Q-COMP and as such we will not take formal statements or undertake any reinvestigation of your claim. It is an opportunity for you to provide information or clarify key points you wish to make to the decision maker.



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## What if I need more time to provide submissions?

If you would like to provide more information, but need more time to do so, you can request an extension by informing the Review Officer what you intend to provide, by when, and how this will add benefit to the review decision. This information will be considered and you will receive an outcome in writing.

## Onus of proof

At review the onus of proof remains with the injured worker to demonstrate you have an entitlement to compensation. The standard of proof required for a compensation entitlement is on the balance of probabilities, being that it is more probable than not.

## What is natural justice?

Natural justice means that if you or any other party provides any information to us that affects another parties' interests, we need to release this information to them and allow them an opportunity to respond.

## Email preferred

To ensure that you receive your review decision as quickly as possible, Q-COMP would prefer to communicate with you via email.

When your Review Officer contacts you, please advise whether you wish to communicate via e-mail, and provide us your email address if you have not listed this on your original application for review.

## What happens after the review?

If you or your employer disagrees with Q-COMP's decision then either party may appeal to the Queensland Industrial Relations Commission in Brisbane.

Either party has 20 business days from the date they receive the decision in which to lodge an appeal. A copy of the notice lodged with the Commission must also be served on Q-COMP within 10 business days.

## Contacting Q-COMP

You can call Q-COMP tollfree on 1300 361 235 or visit our website at [www.qcomp.com.au](http://www.qcomp.com.au)

## Return to work **assist**

A Q-COMP initiative

**Return to work assist** is a free Q-COMP initiative that helps injured workers whose workers' compensation claim has closed and who are unable to return to their former employer.

Return to work assist links people with career advice, training, job placement services and support to assist in achieving their career goals.

For further information on Return to work assist, please contact the team at Q-COMP on [rtwassist@qcomp.com.au](mailto:rtwassist@qcomp.com.au) or via phone on **1300 023 969** or visit [www.qcomp.com.au](http://www.qcomp.com.au).

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