

# Witness statement guidelines for WorkCover claims

The process for determining a WorkCover claim is as follows:

- An employee lodges a claim with WorkCover Queensland.
- WorkCover determine what information is needed as part of the investigation process.
- WorkCover or a delegated departmental officer contact relevant witnesses and ask them to provide a statement relating to the specific details of the claim.
- Witnesses provide statements to WorkCover or a delegated departmental officer.
- WorkCover uses the information provided by witnesses to assist in determining whether the claim will be accepted or denied.

## Definition of witness

A witness is somebody nominated as a person who may have knowledge about the events relating to a WorkCover claim. A witness may be nominated by an employee making a claim, or by the department. The purpose of the witness statement is to assist WorkCover to gather factual information to utilise in the claim determination process.

There are a number of ways you can provide a statement:

- WorkCover will contact you and take your statement over the telephone. If you wish, WorkCover will send you a written copy of the statement for confirmation.
- Your supervisor may request you to provide a statement relating to a matter raised in a WorkCover claim.
- You can provide your own written signed statement directly to WorkCover.
- You may be requested to provide a statement to a delegated departmental officer who is coordinating the department's response to a claim.
- The employee lodging the claim (claimant) may contact a witness directly to seek evidence to support their claim.

## Frequently asked questions

### **What if I don't want to be a witness but someone has nominated me?**

Involvement in the process is voluntary. It is up to you to decide if you wish to participate.

### **Will my statement be released to anyone else?**

Once you provide information to WorkCover it becomes part of the WorkCover claim file. This information may be released to third parties including the department and the person making the claim. All information is subject to both Right to Information and Information Privacy legislation. (See [Right to Information Act 2009 \(Qld\)](#) and [Information Privacy Act 2009 \(Qld\)](#)).

If you have concerns regarding the release of information or are fearful you may suffer some form of reprisal if you provide evidence, you might wish to contact your Regional Senior Injury Management Consultant,



WorkCover Queensland or your Union representative for further advice. There are circumstances in which the identity of witnesses can be protected.

### **Can I bring a support person to an interview if one is required?**

Yes, you may select a support person of your choice to accompany you when you are providing a statement. This may be a union representative, a friend, a relative or other support person. However, it is not appropriate for another witness to be present during the interview.

### **What type of information should I provide in my statement?**

The statement should include facts from your direct knowledge of the events and circumstances relating to the factors (causes of injury) submitted by the claimant. Statements that are long and emotive are generally not helpful. The account should always be focused on the specific events surrounding the injury, including details of what you witnessed (heard and/or saw) leading up to, during and after the workplace incident(s).

### **What happens to the statement I make?**

The witness statement becomes part of a statutory WorkCover claim file and may be released to other people (typically the claimant and/or the department). There are times when the statement cannot be released e.g. where release could impact on the employee's health or wellbeing, or the safety of the person making the statement, or on public safety.

## **Further information**

Call WorkCover Queensland on the general number 1300 362 128 or ask to speak to the Claims Assessor managing the claim. Alternatively, you may contact the department's Organisational Health Unit on 07 3235 6561. You can also visit:

- [WorkCover, QSuper and other claims information](#)
- [WorkCover, rehabilitation and claims](#) and [psychological claims](#)
- [Queensland Council of Unions](#)