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Mental health and workers compensation: claiming for psychological injury in Queensland

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Workplace mental health is receiving increasing attention across Australia, and Queensland is no exception. If your job has caused or significantly worsened a psychological condition, you will be entitled to lodge a workers' compensation claim.

This article explains how psychological injury claims work under Queensland's workers' compensation system, what injuries are covered, and what steps you need to take if you're struggling due to work-related stress, trauma or harassment.

You may also find our earlier blog, "Compensation for workplace bullying and harassment", interesting or useful.

What is a psychological injury, for the purposes of a workers' compensation claim?

A psychological injury is a mental health condition that affects your ability to work. Injuries and illnesses may include:

- depression;
- anxiety;
- post-traumatic stress disorder (PTSD);
- adjustment disorder;

stress-related burnout.

Common causes of work-related psychological injuries

There are many ways a job can impact mental health. Common causes of psychological injuries include:

workplace bullying or harassment;

exposure to traumatic events (especially in emergency services);

excessive workload and unrealistic deadlines;

workplace violence or threats;

job insecurity or sudden role changes;

lack of support from management.

Are all mental health conditions covered?

The Act which governs workers' compensation claims in Queensland (called the Workers' Compensation and Rehabilitation Act 2003) provides that to be eligible to claim compensation for an injury (physical or psychological), the injury had to have arisen out of, or in the course of employment, and employment needs to have been a 'significant contributing factor' to the relevant injury.

Not all psychological injuries are accepted under workers' compensation. In Queensland, an injury that satisfies the above criteria can still be rejected if it arose out of reasonable management action carried out in a reasonable way. Examples provided in the Act include:

lawful performance reviews;

disciplinary actions;

job transfers or redundancies.

Lodging a psychological injury claim in Queensland

Below are the steps you need to follow:

Report the injury

Notify your employer as soon as possible. Whilst it is not a strict requirement to report your mental injury to your employer, it is important to take some action to report the circumstances of your injury to someone in management.

Having a ‘contemporaneous’ record of your mental injury will usually be very helpful in having any compensation claim you might subsequently bring, being accepted by Workcover Queensland (or the self-insurer).

See a doctor

Your GP (or if you are able, your treating psychiatrist) must assess your condition and complete the appropriate Medical Certificate to lodge with your claim.

Most doctors in Queensland will be aware of the correct /approved Medical Certificate that they need to use for a workers’ compensation claim. A simple “sick certificate” will not suffice. It’s also crucial that your doctor clearly states on the medical certificate that your injury is work-related.

Submit a claim

You can lodge a claim with WorkCover Queensland or a self-insurer. You'll need to provide:

the completed Medical Certificate (refer above);

your account/description of how the injury happened (give this careful thought/consideration; focus on the core reasons you consider resulted in your mental injury);

You can lodge your application either via email, over the phone or by completing the application form (which you can find on the Workcover website).

You generally have six months from the date of injury or diagnosis to lodge the claim.

What benefits are available from WorkCover Queensland?

If your psychological injury claim is accepted, you may be entitled to the following benefits:

Weekly payments: To cover lost wages while you're off work. You can read more about this in our earlier blog, "A guide to workers' compensation weekly payments Queensland".

Medical and treatment expenses: Including counselling, medication, psychologist or psychiatrist fees

Rehabilitation support: Assistance returning to work when you're ready

Permanent impairment compensation: If the injury leads to long-term effects. You can read more about this in our earlier blog, "WorkCover lump sum compensation claims Queensland".

Independent Medical Examinations (IMEs)

During your claim, WorkCover may ask you to attend an IME with a psychiatrist or psychologist. This can be used to help WorkCover determine:

whether your injury is work-related;

the extent of the condition;

what treatment you need;

whether you're fit to return to work.

Return to work and rehabilitation

A key focus of the system is helping you return to safe and suitable employment. If your claim is accepted, WorkCover will work with you, your employer and healthcare providers to create a rehabilitation and return to work plan.

This may involve:

reduced hours;

- modified duties;
- additional support and adjustments.

You’re not expected to return to full duties immediately—only when it’s safe and appropriate to do so.

Common reasons for claim denial

Psychological injury claims are sometimes more complex than physical ones and are, unfortunately, more likely to be disputed. Common reasons a claim may be denied include:

- no clear link between the injury and work;
- condition resulted from reasonable management action;
- delayed or incomplete documentation;
- previous history of mental illness (without new work-related aggravation).

If your claim is rejected, you have the right to request a review through the Workers’ Compensation Regulator.

Very strict time limits apply, so it's important to act immediately you receive a decision you are not satisfied with.

You can read more about appeals in our earlier blog, “Appealing a workers’ compensation decision by WorkCover Queensland”.

Can I make a common law claim due to psychological injury or illness?

If you believe your employer was negligent and this caused your psychological injury, you may be able to pursue a common law claim. This is separate to the statutory compensation system and can provide damages for:

- pain and suffering;
- future loss of income;

medical costs beyond statutory limits.

Final thoughts

Psychological injuries can be just as serious and life-altering as physical injuries. Queensland's workers compensation system does provide support—but navigating it can be complicated, especially when mental health is involved.

If you're suffering mentally because of your job, don't ignore the signs. Early reporting and medical support are key. Legal advice can also make a difference, especially if your claim is complex or disputed.

Key takeaways

Psychological injuries like anxiety or PTSD may be covered by workers' compensation in Queensland.

You must show that your job was a significant contributing factor to the mental health condition.

Not all work-related mental health issues are accepted, especially if caused by reasonable management action.

Claims can provide weekly payments, medical care and return-to-work support.

Seek medical attention early and lodge your claim within six months.

You may be able to challenge a decision or pursue a common law claim if negligence was involved.

Get help from a workers' compensation lawyer

If you're experiencing any issues with your workers' compensation claim due to psychological illness or injury (for example, claim denied, weekly payments ceased, medical expenses not covered), you should seek legal advice early. We have significant experience in claims under the Queensland WorkCover scheme and offer an initial free consultation – so, it costs you nothing to find out where you stand.

This article is of a general nature and should not be relied upon as legal advice. If you require further information, advice or assistance for your specific circumstances, please contact us.