



Minutes

Meeting: ASIEQ Forum Meeting

Meeting Location:

Minter Ellison
Waterfront Place, 1 Eagle St, Brisbane

Date: Wed 6th August 2014

Time: 8:15am

Attendees:

Victoria Bauer – Glencore
Natasha Bree - Glencore
Pam Carter Foster – Woolworths
Alleyne Collin – Queensland Rail Ltd
Louise Cook – Gold Cost City Council
Amanda Cook – Primary Health Care Ltd
Justin Crowley - Toll Holdings Ltd
John Dacey - Teys Australia
Lesley Dame – Wesfarmers Group Workcover
Peter Davis – Redland City Council
Daniel de Souza – Gold Coast City Council
Kylie Duncan – Queensland Rail Ltd
Ashlyn Dyer - Advanced Personnel Management
David Gomulka - JBS Australia
Peter Irving - Brisbane City Council
Rod Knights – University of Queensland
Megan Lim-Fraser - MLCOA
Christine Litzow - Qantas
Mairin Longmore - Community Business Australia

Attendees:

Trinity McKenzie - Arnotts
Darryn Midson – Medilaw
George Gowen - Medilaw
Andrew Murrell - BHP Billiton
Stephanie Naidoo – Aurizon
Bill Nevin - Glencore
Samantha Norton - MLCOA
Jodie Rush - Wesfarmers
Saija Saunders - Brisbane City Council
David Swan - Local Government Assoc. Queensland
Tricia Testa - Aged Care Employers Self Insurance
Annika Van Aswegan – BHP Billiton
Melanie Whitelaw – Advanced Personnel Management
Cass Wild - Employers Mutual
Karen Wilson – WCD Workers Compensation Solutions
Lauren Wright – Medilaw
Mark Hopsick – Rio Tinto
Tim Elvery – IPAR
Glenn Bailey – IPAR

Apologies:

Cassandra Byers – ANZ
Michael Taylor – Arrium Ltd
Thanh Tran - Aurizon
Luke Bowman – BHP Billiton
Mary Finucane – Brisbane City Council
Kelly Tucker - Brisbane City Council
Tania Perina – CSR Limited
Victoria Barham - Echo Entertainment
Lee Quinn – Glencore
Michael Doyle – JBS Australia
Michelle Berris – Myer Holdings Ltd
Denise McNamara - Myer Pty Ltd
Victoria Edwards – Qantas
Fin Blyth – Qantas

Apologies:

June Watson - Queensland Rail
Tina James - Townsville City Council
Christine Peters - Townsville City Council
Karen Shroder – Wilmar Sugar Pty Ltd
Lisa Steel – Wilmar Sugar Pty Ltd
Patina Pitkin - Wilmar Sugar Pty Ltd
Michelle Jones – Queensland Rail
Jennifer Boyd - MLCOA
Peter Lyons – MLRSA
James Wruck - MLRSA
Adem Cetinay - The Suncorp Group
Dale Ristovski – Red Health
Laura Eyles – Injury Treatment

Minutes Secretary: Mairin Longmore (CBA)



Item No	Agenda Item	Action														
1.	Attendance/Apologies	Apologies noted														
2.	Previous executive minutes and actions Amendments to previous forum minutes received from Bill Nevin. Clarified Peter Irving is not on the Executive but is on the Rehabilitation Sub-Committee Minutes moved by Justin Crowley seconded by Saija Saunders	Carried														
3.	Financial Report Financial Report presented by Treasurer Rod Knights. Moved by Rod Knights. Seconded Justin Crowley <table border="0" style="width: 100%; margin-left: 20px;"> <tr> <td style="width: 60%;">Account Balance as at 1 April 2014</td> <td style="text-align: right;">\$97,597.66</td> </tr> <tr> <td>Total Deposits:</td> <td style="text-align: right;">\$25,906.68</td> </tr> <tr> <td><u>Total Outgoings:</u></td> <td style="text-align: right;"><u>\$28,984.28</u></td> </tr> <tr> <td>Account Balance as at 31 July 2014:</td> <td style="text-align: right;">\$94,520.06</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td>Conference Income</td> <td style="text-align: right;">\$17,000.00</td> </tr> <tr> <td>Conference Expenses</td> <td style="text-align: right;">\$11,404.13</td> </tr> </table>	Account Balance as at 1 April 2014	\$97,597.66	Total Deposits:	\$25,906.68	<u>Total Outgoings:</u>	<u>\$28,984.28</u>	Account Balance as at 31 July 2014:	\$94,520.06			Conference Income	\$17,000.00	Conference Expenses	\$11,404.13	Carried
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4.	Correspondence Log <ul style="list-style-type: none"> - Common Law Protocols - Workcover - Accredited return to work program - Conference - Levy 1st July – Correspondence from the Regulator - Suggested a letter be sent to DibbsBarker congratulating Mark on his good work. By all accounts the 1 day conference was a success. 	Letter to DibbsBarker														
5.	Rehabilitation Conference 2015 <ul style="list-style-type: none"> • Brief overview by Peter Irving: Major organisation in preparation for the ASIEQ conference. Workcover have agreed to be a major sponsor, they will use their database to promote the ASIEQ conference. There are currently 6 major sponsors. The new innovative website is up and running. Bookings for ASIEQ request to members to ask other key people in their organization eg. Supervisors/HR. Ticket booking are to be filled in and sent to ASIEQ secretariat. Tables of 8 will become available on 1st September and ticket sales on 1st October. Members considering attending should arrange their booking before the end of the year. The goal is to continue the tradition of running an excellent conference. Thanks extended to everyone supporting/promoting the conference. Julie McDonald will be a speaker on the day. There will also be an act to depict and show the key concepts. All members to take 3-4 Injury Management Conference flyers to hand out and advertise the conference - Majors sponsors – DibbsBarker, IPAR, WorkCover - Friend sponsors – Injury Management 															



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	<ul style="list-style-type: none"> Justin Crowley stated that Workcover will advertise the conference extensively and thanked Peter Irving for all the work he has put into advertising the conference 	
6.	<p>NCSI</p> <p>Decision on whether ASIEQ will rejoin the National Council post the NCSI AGM on 5 September 2014</p> <p>Review report came out on June 2 2014 after interviews with 4 sample members (National and State based), Justin Crowley summarised some of the issues raised.</p> <p>Rod Knights attended a meeting with National Council in Melbourne to clarify certain points in the report. Recommendations from the report:</p> <ol style="list-style-type: none"> 1. Revise Constitution and Rules for legislative compliance and consistency with strategic direction of the Council 2. Appoint part-time Executive Officer and engage consultants for website development, Business Plan and Marketing Strategy developed 3. Strengthen brand as peak body representing self-insurers. Communicate with state association 4. Formalise arrangements with SISA 5. Formalise meetings with stakeholders (min 3 meeting/year incl AGM) 6. Subscription Fees for the Council were to waived for 2014, after AGM in September fees would be revised and possibly increased for next year. 7. Industrial/Political advocacy. Develop national programme of meetings (Federal bodies) 8. Review the strategic direction 9. Clarify the role/relationship between Council and constituent members. Important in terms of communication. 10. Invitation to former members (WA and QLD) <p>Feedback on the report to be emailed to ASIEQ. In terms of a decision JC stated to wait to be invited to rejoin. Bill Nevin proposed that they prepare their response to the letter of invitation from NCSI. Bill Nevin volunteered to put forward for a working party. He would be prepared to chair it and to find out from members who would be interested in the National Council and he would come back to the members with a designated strategy for the National Council. Justin Crowley would endorse the working party and would be prepared to be a part of the group</p> <p>Saija Saunders moved to establish a working party chaired by Bill Nevin. Seconded by Justin Crowley</p> <p>Bill Nevin will send letter to NCSI thanking them for their report and stating that ASIEQ are currently coordinating a working party and ASIEQ's position.</p>	<p>Carried</p> <p>Letter to NCSI</p>



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7.	<p>Regulator</p> <ul style="list-style-type: none"> • Actuarial Meeting – members to provide names of Actuary that may wish to participate in discussion with Regulator on valuations. Justin Crowley will email request out to members. Members requested to then send back the name of their Actuary. • ASIEQ 2015 Conference – seek conference sponsorship and advertising by regulator. Workcover have come on board. Regulator have advised that they will advertise the ASIEQ Conference on their website and use their database to support the conference. • RTW Awards – Nominations from Self insurers <ul style="list-style-type: none"> – nominations dropped from 43 in 2012 to 11 in 2014. Very onerous nomination process and people tend to pull out once they realise what's involved - Regulator is open to suggestions of improvement. Any comments/feedback to be sent to the Executive • Reviews and Appeals progressing with addition of e-lodgement of files at online services. Recruiting a new Review and Appeals Manager • Fraud – Regulator to develop prosecutions policy asap and fraud forum to be held in October 2014 • Information in terms of fraud referrals from the regulator: <ul style="list-style-type: none"> – Fraud referral transfer from WCQ to WC Regulator increased referrals 150% at same time as merger of Q-COMP into OFSWQ. – Priority given to likely successful prosecutions to be filed within limitation period. – Unsuccessful ones with written reasons for decisions (RFDs) were delayed – Since Amendments in October - 12 open (39 ytd) / 13 rfd / 6 prosecutions perused / 2 successful – 12-13 – 21 referrals / 2 prosecutions / 13 rfd – Additional Legal Officer – Formal Policy and Procedures (including referring Insurers contact guidelines). – Insurer Forum in October • NIIS <p>Quick update on NDIS and NIIS with information provided by the Regulator</p> <ul style="list-style-type: none"> – Parameters for work-related injury definitions signed off. – Diseases to be excluded – Run by Treasury Departments and review and costs currently under review by Treasuries – Stumbling block around definition of worker. Likely to be State and Territory add on – 1 January 2016 commencement 	<p>Names of Actuary</p> <p>For information</p>



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	<ul style="list-style-type: none">- Work with MAIC on provision of assessments and treatment as fewer claims in WC than CTP.- Costs – potentially PAYG but with an allowance for costs. January 1 2016 – deadline when insurers will be paying the bills not the state government- Legislative changes including. how to deal with common law in 2015• LEVY<ul style="list-style-type: none">- Levy rate on July 1 2014 – 2.29%- ASIEQ wrote to Minister November 12 2013 anticipating reduction in levy following merger of Q-COMP into OFSWQ.- Minister wrote on December 3 2013 advising legislative amendments “...will help reduce the red tape and financial burden on employers...”- Submissions taken into account when levy rate set by WC Regulator and approved by the Minister.- Levy rate 1 July 2014 – 2.29% - same as last year- 2013 Self Insurance Levies totaled \$8,225,000 of which \$5,286,000 to WH&S- 2012 – WCQ paid WH&S Grant directly to WH&S rather than via Q-COMP- No annual report next year but will be one this year.- Response from Regulator at meeting - explanation for no change to the levy rate:<ul style="list-style-type: none">• 604 open Medical Assessment Tribunal’s (MATS). Anticipate 256 more.• 8 or 9 additional tribunal members• 2 to 4 sessions for MATs• Increase capacity for psychiatric tribunal• Dr. training AMA5 and GEPI• R&RTWC training considerations, less face-to-face, webinars and other processes.• Review the levy rate in 12 months- ASIEQ wrote to Minister expressing disappointment and asking for an explanation for no change in Levy rate. Awaiting reply.- Chapter 13, Part 3, Division 2- There is an option to appeal to Court of Competent Jurisdiction within 20 business days, amount of levy payable by a self-insurer. Too late now but an appeal is an option for 2015. This is the last year that there is going to be visibility around the changes. Potentially could expect an increase next year	For information



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	<ul style="list-style-type: none">• Accredited RTW Program<ul style="list-style-type: none">– 10 responses from individual insurers and ASIEQ response– Submissions that:<ul style="list-style-type: none">• Legislative restriction to referral to Accredited Return to Work Program (ARTWP) >5% DPI.• Employer v Insurer workplace rehabilitation obligations• Management System Approach – not necessarily compulsory• Anti-competitive– WC Regulator Response:<ul style="list-style-type: none">• ASIEQ role in leading change and educating self insurers in RTW initiatives• Threshold present employers with potential savings (improving RTW further savings for SI license holders)• Guidelines no significant additional requirements for performance management of Sis.• Management Systems approach to apply in both Statutory and Common Law claims• Not an onerous task for insurers• Insurer influence of employers• Employer to decide who is responsible for implementation of RTW activities- WC Regulator – amendments in terms of initial draft to Requirement for Accreditation:<ul style="list-style-type: none">• <i>For accreditation Insurers will need to prove that they have in place work practices or business systems to address and support RTW activities. The attached criteria are based on a management system approach however it is not mandated that this systems approach must be implemented.</i>• <i>The performance requirements listed under each of these five headings detail elements of a best practice RTW program. Some of these requirements will require consideration by Insurers as to the best way of implementation to compliment current organisational processes. The clear focus for initial accreditation is that the Regulator can see evidence that during the statutory claims management process and following the lodgement of a notice of claim, a formal decision making process is in place that achieves the best possible RTW outcome for injured workers.</i>• <i>The Workers' Compensation Regulator within the Department of Justice and Attorney General will continue to evaluate ongoing performance by monitoring return to work (RTW) performance and in accordance with the Performance Management Program for Insurers.</i>	<p>For information</p> <p>For information</p>



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	<ul style="list-style-type: none"> • Regulations update <ul style="list-style-type: none"> – Regs all expire at 10 years, 2003 extended 1 year due to changes in legislation – No policy changes, just readability changes for policy, new drafting requirements etc – Standards for rehab being deleted to be replaced by guide on website – All \$ figures increased to current figure as per Gazette notices (2003 Regs have old figures) – 1 September start for new Regs – Summary of changes will be going up on website once approved – toward end of August – Some renumbering as a consequence of changes – Reg 20A Provisional Annual Levy : divided into two Regs. – Reg 24 Actuarial procedure – self-insurers : deleted – Part 3 Other Insurances (work experience) : deleted – Part 4 SI liability calculations to be consolidated – Part 5 Calculation of NWE : change of definition. District. – Reg 89 Payment for Treatment by non SI Employer : deleted – Reg 91 Special Medical Treatment : deleted – Part 6, Division 1, Caring Allowance : deleted as repeated – Part 6, Division 3, Standard for Rehabilitation : deleted. Guide by Regulator 1 September 2014 – Reg 111 NOCDs : divided up – Reg 112 Urgent NOCD : requirement for cover page removed – Reg 119 Documents to be kept : updated to match tax & industrial law – Schedule 5A High Risk Industries : deleted – Schedule 7 States legislation about Damages : updated to include NT – Dictionary : amendments 	For information
8.	<p>WorkCover Queensland</p> <ul style="list-style-type: none"> • CL protocols published on WCQ website • Move of regional offices back into city • 3 Groups: <ol style="list-style-type: none"> 1. Logistics and Supply (farm to shop) 2. Professional Services (incl. Govt. Depts.) 3. Trade Services (construction and mining) 	For information



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9.	ASIEQ <ul style="list-style-type: none">• AGM – Wednesday 22 October 2014• Quarterly Forum – Wednesday 26 November 2014 (N.B. change from Wednesday 12 November 2014)	For information
	Next Members Forum Meeting: 26 November 2014	