



National Council of Self Insurers



# Presentation to the ASIEQ

**Robin Shaw, Acting Chair, National Council of Self Insurers  
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# What is the NCSI?

- Formed 1992
- An 'association of associations', rather like ACCI and Ai Group but on a much smaller scale & scope
- Interest areas limited to workers compensation & WHS
- Current members – NSW, Vic, SA, Tas, SRCLA (Comcare SIs)
- Observer status – Qld & NZAAE
- WA inactive due to distance issues

# Why have a National Council?



- While for the most part, relations between State Govt and self insurers are benign, nationally the same cannot always be said.
- Example 1 – ACTU opposition to SI:  
***Unions oppose in principle the concept of self-insurance because we believe the system should be one in which everyone is contributing to and part of the same scheme.***

*ACTU Submission to Regulation Taskforce for Reducing the Regulatory Burden on Business, March 2009*

# Why have a National Council?



- Pressure from the ACTU compelled the Federal Govt to ban further Comcare SI licences to private sector bodies.
- Example 2 – the history of failure of any peak body or Govt agency to consider the impact of policy initiatives and proposals on SIs as a discrete group – eg the RTW Monitor.
- On this basis alone, a united national voice for self insurers is essential.

# Why have a National Council?



- From an environmental standpoint, we are seeing more and more State policy and functions being centralised or centrally coordinated:
  - *Industrial Relations*
  - *WHS*
  - *Education*
  - *Health*
- While workers comp seems fated to remain a State function, SIs need to be active at the centre



# Why have a National Council?

- WHS is a critical issue – even though it remains State law, it is still being shaped centrally
- Examples of why this is very important to us all:
  - *Codes of Practice – esp Bullying & Harassment*
  - *The subtle removal of employer statutory rights under criminal law – eg self incrimination, powers of inspectors, the principle of ‘control and/or influence’, right of entry*
- The National Council plays a key role in influencing these matters before they are finalised

# What does the National Council do?



- Builds consensus among State SI Associations and gives a national voice to that consensus
- Maintains strong working ties with peak bodies – ACCI, Ai Group, AHA, MBA, HIA, MTA etc
- Provides specialist advice on workers comp and WHS issues to those peak bodies & influences their policies
- Liaises with Federal Govt bodies, MPs etc
- Makes submissions on a wide range of subjects

# Activities over the last 2 years



- Played a role in persuading Safe Work Australia (SWA) to downgrade the draft fatigue COP to guidance.
- Lobbying hard for the same to be done with bullying & harassment (unworkable as a COP)
- Regular participant in ACCI National Employers OHS Consultative Forum and Workers Compensation Working Group (to shape ACCI input to SWA)



## Activities over the last 2 years

- Represented ACCI on SWA Temporary Advisory Groups (TAGs) developing policy on:
  - *Self Insurance*
  - *Permanent Impairment*
  - *Death entitlements*
  - *Multi-State employers*
  - *Return to work survey working party*
- Monitored the emergence of the National Disability Insurance Scheme and National Injury Insurance Scheme and advised SI members on potential impact



## Activities over the last 2 years

- NCSI Conference, Twin Waters November 2012
  - *135 delegates attended*
  - *Excellent sponsorship*
  - *Speakers included Hon Bill Shorten MP, Bob Ansett & Therese Rein*
  - *Event, venue & speakers rated 'good' or 'excellent' by all attendees*
- Instrumental in having a self insurance component built into the national RTW Survey (NRTWS)



## A Case in Point – the NRTWS

- ACTU refused to discuss harmonised SI policy until it had a rationale for having SI at all
- NCSI was confident that SIs out-perform premium-payers in WHS and RTW in most if not all jurisdictions
- Agreement was reached to include a SI cohort in NRTWS – a bit of a gamble!
- NRTWS SI data looks good so far – should be very useful to push back on ACTU policy on SI

# Issues currently in work



- F/Work Act amendments re bullying & harassment
- Bullying & Harassment draft COP
- Wide range of other draft COP
- NRTWS results
- Watching the SWA w/comp TAGs slowly peter out
- NDIS/NIIS
- Continuing to break down prejudice against SI
- NCSI AGM – Adelaide 13/9/13. New Chair to be elected
- Review of NCSI structure and functions – taking the next steps

# We hate to say ‘we told you so’...



2010 NCSI paper to SWA on harmonising workers compensation entitlements:

*“...solutions like this would require considerable political will to succeed. Any structure that draws a line between high entitlement/high premium and low entitlement/low premium models would demand that in some jurisdictions, premiums and entitlements would go down, and in others they would go up... in every jurisdiction, at least one stakeholder group will be opposed... who wins and who loses? ...talking about a national scheme is easy at the abstract level. But the practicalities of designing one are daunting”.*

# In summary – the value statement

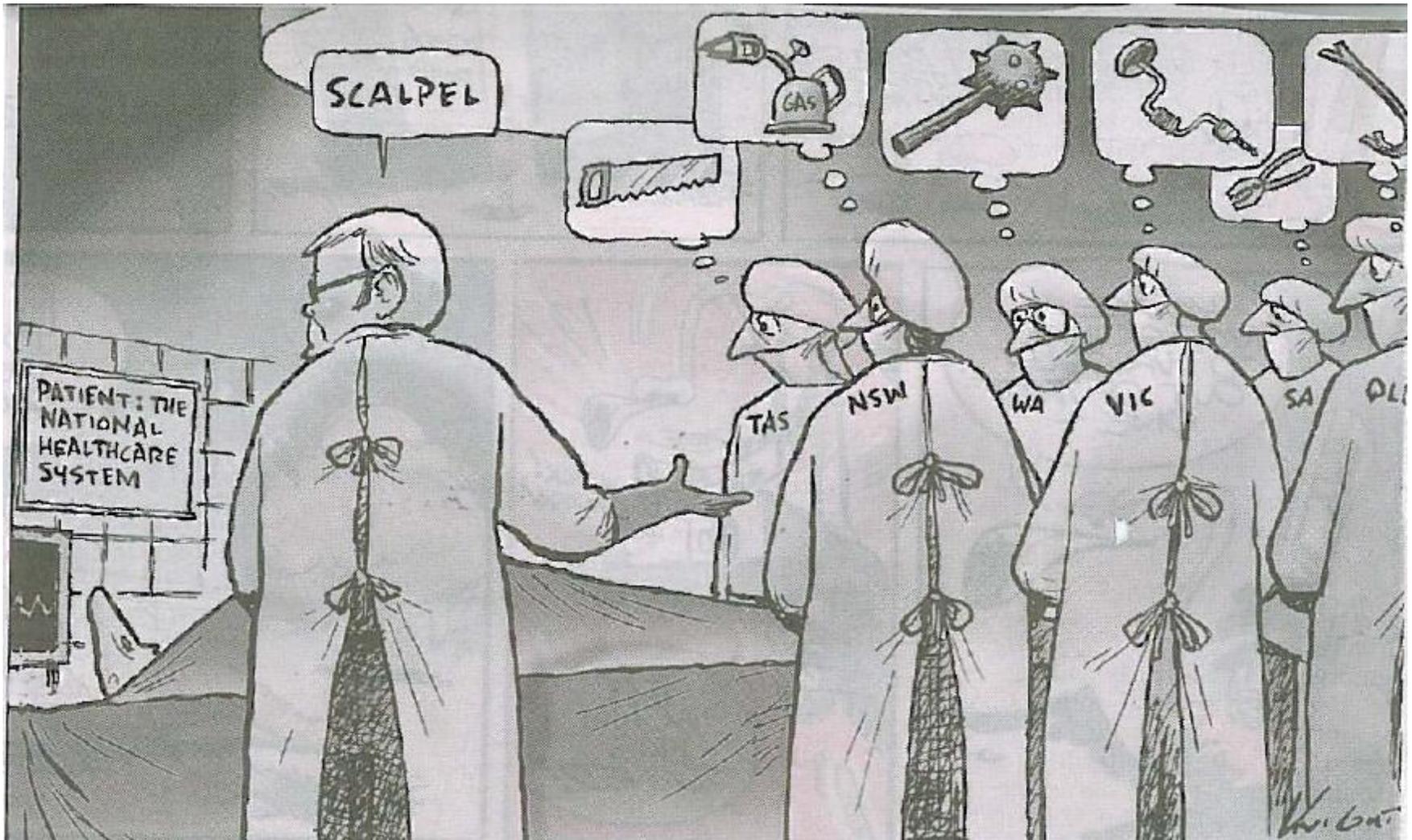


- Experience shows that we cannot focus all our attention within our jurisdictions
- Things happen nationally that reach into our jurisdictions – WHS Act, regulations & COP, FWA amendments, NDIS etc
- And they often happen without a thought for consequences for SIs
- Failure to be across these things and influence them risks unpleasant surprises – this is the key role of the NCSI

# Our Federal structure poses risks



This is why a unified voice is important



# Questions?

