



**ACCS**

Accident Compensation  
Conciliation Service

# STRATEGIC PLAN

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**JANUARY-JUNE 2018**



# Contents



## List of Acronyms

ACA	Accident Compensation Act 1985
ACCS	Accident Compensation Conciliation Service
CLAA	Compensation Legislation Amendment Act 2016
CO	Conciliation Officer
DSCO	Deputy Senior Conciliation Officer
ERP	Early Resolution Project
GD	Genuine Disputes
SCO	Senior Conciliation Officer
WIRC Act	Workplace Injury Rehabilitation and Compensation Act 2013

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## Message from the Chair and Senior Conciliation Officer

The Accident Compensation Conciliation Service (ACCS) provides high quality alternative dispute resolution services, with the aim of resolving as many workers' compensation disputes as possible, to avoid costly recourse to the legal system. The social, health and financial benefits that flow from resolving these disputes through conciliation are enormously valuable to injured workers and employers, and fundamental to the success of Victoria's WorkSafe workers' compensation scheme.

To achieve our aim, the ACCS is undergoing significant reform. The first step was the establishment of the ACCS as an independent Statutory Authority on 11 October 2017. The ACCS now has an independent, skills-based Board appointed by the Minister for Finance. A new Executive Leadership Team has been established and we have a reinvigorated commitment to continuous service improvement, professional development and strengthening organisational culture.

To drive these improvements the ACCS has created two Deputy Senior Conciliation Officer (DSCO) roles to provide line management, resourcing and professional support for Conciliation Officers (COs). One DSCO will have service delivery improvement responsibilities. The other DSCO will focus on legal and technical advice to ensure consistency in the application of the *Workplace Injury Rehabilitation and Compensation (WIRC) Act 2013* across the organisation.

The ACCS is a major contributor to Victorian community wellbeing, especially for injured workers. The ACCS has the opportunity to further improve service provision, and will do so in 2018. We will continue to develop highly skilled and knowledgeable dispute resolution practitioners and they, together with professional support teams, will be equipped to deliver the best possible dispute resolution services.

Julie Ligeti  
Chair



Anita Kaminski  
Senior Conciliation Officer





## Our Vision

World-class dispute resolution to make the system fairer for Victorians impacted by workplace injuries.

## Our Purpose

Our purpose is to reduce the health, social and economic costs of workplace injuries and illnesses through fair, affordable, timely and effective resolution of workers' compensation disputes. We do this by:

- upholding the objectives of the *Workplace Injury Rehabilitation and Compensation (WIRC) Act 2013*, and applying relevant laws practically, clearly and consistently;
- applying skilful, independent conciliation dispute resolution practices to achieve durable outcomes;
- respecting the views, dignity and rights of all parties;
- safeguarding the health and wellbeing of injured workers within the dispute resolution process; and
- building understanding and confidence in conciliation processes among those affected by workplace injuries and in the wider Victorian community.

## Our Values

We are guided by an ethos of service to the community and are committed to applying Public Sector Values as outlined in the *Public Administration Act 2004*, and associated Codes of Conduct. We also uphold the values in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Given the role of the ACCS within the Victorian workers' compensation system, the following values are highlighted:

- **Respect – we will** treat our colleagues and all who use our service with consideration, dignity and compassion;
- **Professionalism and accountability – we aspire** to the highest standards of ethics, independence and excellence in the provision of services; and
- **Collaboration – we will** actively and constructively engage with our stakeholders to achieve ongoing service improvements.

## Our Function

The ACCS is an independent Statutory Authority. The ACCS is a key part of the Victorian workers' compensation scheme, providing conciliation services, at no cost to injured workers, to assist the parties to resolve disputes. Conciliation facilitates the resolution of disputes by involving all parties in an informal, non-adversarial process to pursue an agreement that is fair and mutually acceptable. In most disputes, conciliation at the ACCS is a compulsory step before proceedings can be taken in court.

The Ministerial Guidelines under the *Accident Compensation Act (ACA) 1985* and the *WIRC Act* include statements that conciliation should:

- assist the parties to achieve durable resolutions and agreements wherever possible;
- be even-handed and fair, and address matters on their merits;
- maximise flexibility and informality;
- facilitate early return-to-work opportunities;
- enhance ongoing worker/employer employment relationships;
- be prompt and timely in the conduct of conciliation processes and in dealings with the parties; and
- reduce cost implications for the parties and the scheme and ensure that matters do not unnecessarily proceed to the courts.

The ACCS is a key part of the Victorian workers' compensation scheme, providing conciliation services, at no cost to injured workers, to assist the parties to resolve disputes.



# Managing the transition to a Statutory Authority

The establishment of the ACCS as a Statutory Authority is aimed at strengthening the efficiency, effectiveness and capability of the organisation to meet current and emerging needs. Our transition to a Statutory Authority involved significant consultation and communication with stakeholders and our commitment to consultation is ongoing. Stakeholders' informed views have helped to ensure understanding of the issues associated with the ACCS becoming a Statutory Authority and to mitigate those issues through positive engagement and communication to promote a successful transition.

The ACCS has effectively managed a major change program to establish the Board and governance frameworks and to implement a new organisation structure and roles. We have also worked closely with WorkSafe to ensure the smooth transition of staff. The performance of the ACCS and the successful achievement of our strategic priorities is dependent upon the ongoing effective implementation of the new Authority and a positive, unified workplace culture.

The following key factors and associated risks have been taken into consideration in developing our Strategic Plan priorities:

- Staff engagement and capability.
- Leadership stability and capability.
- Client service needs and expectations are changing.
- New approaches to our work are needed to deliver our service improvement goals.



## Key Objective

We are striving to be the leading alternative dispute resolution agency in Australia, and to be an Agency that takes every opportunity to improve our services.

## Strategic Priorities to 30 June 2018

Strategic priorities guide our work and are underpinned by the ACCS's Vision, Purpose and Values. The strategic priority areas for the first six months of 2018 are:

### Strategic Priority 1 - Service improvement

**Goal: We will improve our services and reduce time to conciliation conferences by:**

- 1.1 Analysing service delivery performance information to identify service improvement opportunities.
- 1.2 Using outcomes from the Monash University Victorian Injured Workers Outcomes Study to inform best practice and continuous improvement.
- 1.3 Improving the way we assist workers to navigate the conciliation process by developing tailored and innovative conciliation processes.



## Strategic Priority 2 - Strengthen our organisational culture and capability

**Goal: We will foster an organisational culture that is collaborative, accountable, responsive and unified in focusing on improved service outcomes. We will do this by:**

- 2.1 Involving staff in the development and implementation of human resource programs, policies and initiatives, together with tracking and responding to organisational culture and improving staff morale, communication and engagement.
- 2.2 Investing in the leadership of the ACCS by co-designing leadership development initiatives, tailoring development opportunities, and implementing performance development processes.

## Strategic Priority 3 - Reduce costs of disputation in the Victorian workers' compensation system

**Goal: We will improve resolution outcomes for disputes related to mental injuries, which are increasing in number and complexity; and return-to-work disputes. We will do this by:**

- 3.1 Engaging with stakeholders to exchange information, inform service improvement and mutually improve knowledge and understanding of the workplace injury system to achieve fairer outcomes.
- 3.2 Developing a Restorative Engagement approach to mental injury and return-to-work conciliations which aligns with WorkSafe's program.





# Focus areas 1 January 2018 - 30 June 2018

The focus areas are set out under the three strategic priorities and outline measures that will be used to achieve the strategic priorities identified.

## Strategic Priority 1 - Service improvement

**Goal: We will improve our services and reduce time to conciliation conferences by:**

### 1.1 Analysing service delivery performance information to identify service improvement opportunities.

Monitoring and review of our systems and processes, by ourselves and external researchers, provides valuable insights into injured workers' experience of the ACCS and where and how to make improvements. Additionally, the ACCS has created two new roles to support service improvement and Cos: the DSCO Service Delivery and the DSCO Legal and Technical.

Key initiatives:

- Dedicate resources to the ERP to allow streamlining the resolution of less complex matters. This will reduce anxiety and stress for injured workers and free up conference times.
- Review and analyse the systems and data relating to conference scheduling to improve timing and rescheduling of conferences.
- Raise the quality and consistency of conciliation performance and outcomes through improving COs' knowledge of legislation and case law. This will foster consistency of interpretation and application of legislation.
- Monitor and respond to service information and user feedback to ensure delivery of high quality, accessible, informal and independent conciliation services.
- Tailor professional development for the specific needs of our workforce.

### 1.2 Using outcomes from the Monash University Victorian Injured Workers Outcomes Study to inform best practice and continuous improvement.

Workers who have disputes often find the workplace injury, rehabilitation and compensation system stressful and difficult to navigate. The ACCS will apply research findings of injured workers' experiences of the ACCS service system to streamline and improve our dispute resolution practices, thus creating better outcomes for injured workers, WorkSafe Agents, self-insurers and employers.

Key initiative:

- Participate in the Monash University Victorian Injured Workers Outcomes Study to better understand and respond to the experience of workers with long-term claims.



### 1.3 Improving the way we assist workers to navigate the conciliation process by developing tailored and innovative conciliation processes.

To determine where and how we can carry out service improvement, we will assess ACCS services against a set of industry benchmarks for consumer dispute resolution. The initial 2018 assessment will establish a year-one baseline for this benchmark assessment. A key aspect of access to justice and client satisfaction is how well participants navigate the dispute resolution process. As such, improving the way we assist workers and other parties through the conciliation process could include delivering approaches tailored to each individual circumstance that are adaptable and reduce the time to conference whilst allowing enough time for the parties to prepare. A personal, direct service could better align CO and other staff resources to deliver expert support.

Key initiatives:

- Commence a pilot of a tailored approach to assist injured workers and other parties to navigate the conciliation process.
- Assess the ACCS against benchmarks for industry-based customer dispute resolution.

## Strategic Priority 2 - Strengthen our organisational culture and capability

**Goal: We will foster an organisational culture that is collaborative, accountable, responsive and unified in focusing on improved service outcomes. We will do this by:**

### 2.1 Involving staff in the development and implementation of human resource programs, policies and initiatives, together with tracking and responding to organisational culture and improving staff morale, communication and engagement.

The transformation of the ACCS rests with its people: ensuring the right people, at the right time in the right jobs; and setting standards to achieve and maintain success through performance and values. The move to a Statutory Authority enables the ACCS to establish an Executive Leadership Team that adopts best practice management to build an organisation that is collaborative, responsive, agile, professional and accountable, and is also developing and strengthening team morale.

The new senior management positions include new responsibilities in financial and risk management, governance and reporting for the SCO and the new positions of two DSCOs, a Chief Financial Officer, a Human Resources Director, and a Board Secretary.



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Key initiatives:

- Establish a people and culture forum to ensure employee involvement and ownership in the development and implementation of the ACCS strategy, program, policies and initiatives.
- Undertake a cultural pulse survey to identify and implement improved staff communication and engagement.
- Transition employment arrangements from WorkSafe employees and Ministerial Appointments to ACCS employees without disruption to service delivery.
- Develop and deliver a detailed induction program to all staff that sets cultural and performance expectations.

## **2.2 Investing in the leadership of the ACCS by co-designing leadership development initiatives, tailoring development opportunities and implementing performance development processes.**

We will focus on enhancing the management and leadership skills of ACCS staff to enable them to develop organisational systems and processes to meet the increased complexity and requirements of the new entity.

Key initiatives:

- Implement a performance development process to address the individual development needs of all staff.
- Tailor development opportunities within the Executive Leadership Team to support organisational cultural and service reform.
- In consultation with COs establish a leadership development program to enhance innovation and continuous improvement.
- Aspire to be a learning organisation providing continuous and responsive organisational and staff development leading to the ACCS being recognised for its professional excellence, agility and responsiveness.



## Strategic Priority 3 - Reduce costs of disputation in the Victorian workers' compensation system

**Goal: We will improve resolution outcomes for disputes related to mental injuries which are increasing in number and complexity; and return to work disputes. We will do this by:**

### **3.1 Engaging with stakeholders to exchange information, to inform service improvement and mutually improve knowledge and understanding of the workplace injury system to achieve fairer outcomes.**

We are aware that the quality of the ACCS's work significantly impacts on injured workers and employers. We acknowledge that the ACCS's success is built on respectful collaborations with all stakeholders and recognition of the unique vantage point our stakeholders have in informing us about the design and conduct of an effective and responsive dispute resolution system. Accordingly, the ACCS carries out multiple forms of stakeholder engagement to ensure our service meets the needs of the community. For example:

- Quarterly meetings are held with the ACCS Users' Group, WorkSafe Victoria, WorkSafe Agents, self-insurers, WorkCover Assist, Union Assist and Medical Panels.
- Since 1994, externally conducted, six-monthly surveys of workers, employers, WorkSafe Agents and self-insurers has informed our strategic planning and improvements to service delivery. The 2016-17 survey results indicated that the ACCS services were rated as good or very good by 81% of workers, 86% of employers, and 96% of WorkSafe Agents and self-insurers. We are seeking to improve on this performance rating by stakeholders.

We intend to continue to contribute to, and support, the development of a highly professional network of people working in the workers' compensation field by proactively engaging with all our stakeholders in an open and collaborative manner. We will strengthen our collaborative relationships, especially with new and emerging professionals in the field, ensuring all professionals and the community as a whole, are informed about the role of the ACCS.

Key initiatives:

- Engage key players in matters related to management and resolution of disputes to inform the ACCS about opportunities for service improvement
- Proactively engage with all professionals (long-term, new and emerging) representing injured workers - WorkSafe Agents, claims and advisory staff of WorkSafe, and self-insurers using a range of consultation and engagement processes including two-way feedback mechanisms, presentations, and information exchanges. At the same time, we will clearly outline what the ACCS offers to the workers' compensation sector and the community more broadly.
- Continue to undertake six-monthly stakeholder surveys and publish the outcomes on our web site and in our annual report.



### 3.2 Developing a Restorative Engagement approach to mental injury and return-to-work conciliations which aligns with WorkSafe's program.

Key objectives of the workers' compensation scheme are to reduce costs and return injured workers to work as soon as possible, either to pre-injury employment, or to meaningful and durable alternative work.

WorkSafe data has shown that mental injury claims have been increasing over the past few years and this trend is predicted to continue. Mental injury disputes can be complex and difficult to resolve with extra challenges to facilitating a return to work. ACCS data has shown that return-to-work disputes are also difficult to resolve. Using the ACCS's data and experience, we will partner with WorkSafe to determine how we can improve return-to-work outcomes for both these types of disputes.

It is proposed that a holistic and restorative approach will be more effective in preparing a worker with mental injuries to return to work, especially those who are confronted with a rejected claim.

In collaboration with key stakeholders, the ACCS will trial and evaluate a new conciliation process based on Restorative Engagement principles.

Key initiative:

- Progress the ACCS Restorative Engagement pilot that links with the WorkSafe Restorative Engagement Program. The pilot focuses on mental injury and return-to-work disputes to maximise return-to-work opportunities.

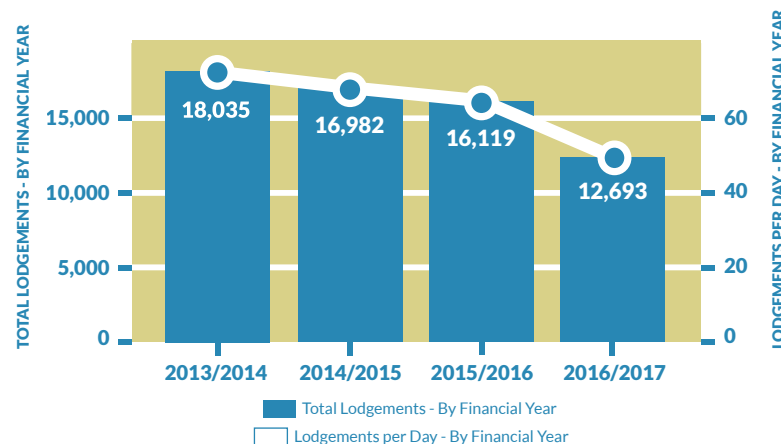


# Operating Environment

The ACCS has operated for over two decades to resolve workers' compensation disputes between workers and employers.

A total of 12,693 new requests for conciliation were received in 2016-17, 21% less than in 2015-16. The reduction in requests has been trending down annually since 2013-14. The ACCS will continue to assess trends. Towards the end of 2017, requests for conciliation were trending up compared to the previous years. In 2018, we intend to better understand the service drivers by gathering and analysing our service data. This data should assist us with service improvement.

## Lodgements - With Average Per Day - By Financial Year

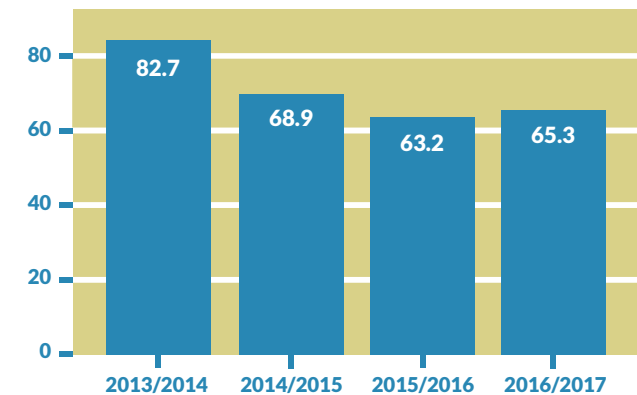


The resolution rate for 2016-17 was 61.1% compared to 63.4% in 2015-16 and 62.3% in 2014-15.

In 2016-17 83.1% of all disputes were concluded in 90 days or less, and 33.9% of these disputes were completed in 28 days or less. This is slightly lower than for 2015-16 when 84.2% of disputes concluded in 90 days or less and 34.9% were completed in 28 days or less.

Disposal rates are impacted by the matters that are referred to the Medical Panels. This is because matters referred to the Medical Panels generally have a longer time to disposal due to the extra time required for consultation with the parties prior to sending the final referral. Additional time is also required once the Opinion is received for the parties to review and confirm their position. In 2016-17, a total of 1,099 cases were referred to the Medical Panels.

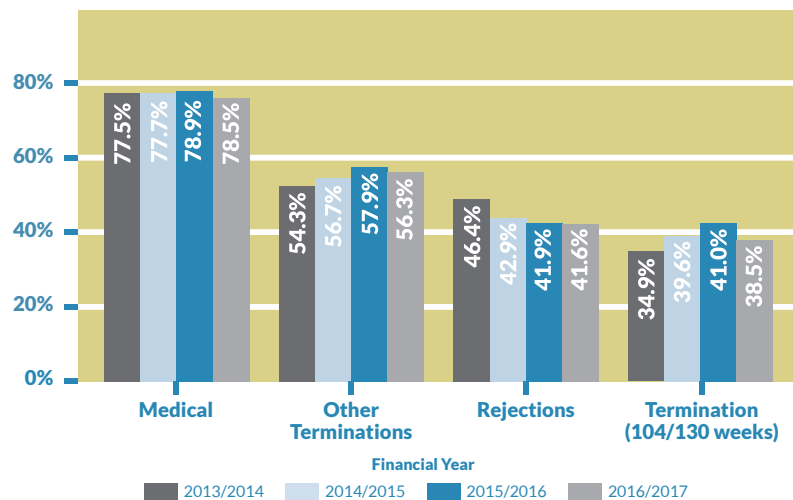
## Days To Disposal - By Financial Year





Days to disposal are the number of days from acknowledgement of a lodgement to disposal. Rejections and terminations generally have more days to disposal as these matters are more likely to go to conference, adding days whilst awaiting a conference.

## Resolution Rate - By Section of Act Grouping By Financial Year



Resolutions are a sub set of total disposals. A dispute is deemed to be resolved:

- when the parties reach an agreement; or
- where there is agreement between the parties to a recommendation made by the CO; or
- where a dispute is lodged and then withdrawn.

Unresolved and genuine disputes (GD) are the remaining categories of total disposals. A GD relates to weekly payments and medical and like expenses. A GD is required in order for a court to consider the matter. Unresolved disputes relate to impairment benefits. These matters can also be considered by the court.



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