

ACCIDENT COMPENSATION CONCILIATION SERVICE

annual report 2008/2009

The Hon. Tim Holding MLA
Minister for Finance, WorkCover and
Transport Accident Commission
Level 26
121 Exhibition Street
Melbourne VIC 3000

Dear Minister

I am pleased to submit for your presentation to Parliament,
the 2008/09 Annual Report of the Accident Compensation
Conciliation Service in accordance with section 46 of the
Financial Management Act 1994.

Yours sincerely



Susan Cibau
Senior Conciliation Officer

About the ACCS

The Accident Compensation Conciliation Service (ACCS) is an independent body corporate under the *Accident Compensation Act 1985*.

The function of the ACCS is to provide conciliation services to resolve disputes for the purposes of the *Accident Compensation Act 1985*. It is a key part of the Victorian workers compensation scheme and, in most disputes, is a compulsory step before proceedings can be taken in court.

The ACCS operates independently of the Victorian WorkCover Authority, WorkCover agents, self-insurers, workers, employers, solicitors and unions.

Conciliation facilitates the resolution of disputes by involving all parties - workers, employers and WorkCover agents or self-insurers - in an informal, non-adversarial process to achieve an agreement that is fair and mutually acceptable. No fee is charged.

The Ministerial Guidelines under the *Accident Compensation Act 1985* state in part 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 on-going 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 continues to be effective in resolving disputes, with the table on page 4 setting out details of outcomes. In addition to matters resolved at conciliation, some of the unresolved matters do not proceed further because the conciliation process allows each party to fully appreciate the other's position. Not all matters which are not resolved at conciliation will proceed to court. There will be a number of constraints which limit the disputes that proceed to court.

The ACCS is committed to dealing with disputes in an economical and prompt manner. While most matters are dealt with at a conference, early intervention by the ACCS assists parties to address the matters in dispute, and approximately one third of disputes are disposed of without the need for a conference.

The ACCS values ongoing and constructive communication with stakeholders and maintains focus on stakeholder consultation.

How does the ACCS work?

Requests for conciliation are usually brought to the ACCS by the worker in relation to a dispute with the employer, WorkCover agent or self insurer.

The ACCS creates a non-adversarial environment that brings all parties to a workers compensation dispute together to try to resolve the dispute. Conciliation assists parties to a dispute to:

- Identify the issues relevant to the dispute;
- Develop options;
- Consider alternatives and consequences; and
- Endeavour to reach an agreement.

Some examples of the types of disputes dealt with by the ACCS are:

- Claims that are rejected;
- Claims in which weekly payments are reduced, altered or terminated;
- Lump sum compensation;
- Payment of medical and like expenses; and
- Return to work and rehabilitation matters.

Each matter is assigned to a Conciliation Officer who acts as an independent third party in the dispute. In the majority of matters, the parties attend a conference. Workers and employers are entitled to have an assistant with them. Legal practitioners can only attend if all parties consent. Professional interpreters are provided if required.

The ACCS facilitates the exchange of relevant information between the parties to assist in the conciliation of the dispute.

In the main, Conciliation Officers play an advisory rather than a determinative role in relation to the dispute and its resolution. They facilitate the conciliation, provide information about workers compensation legislation, may make suggestions for the terms and any associated consequences of agreement, and may actively encourage the participants to reach an agreement.

Where a matter cannot be resolved by agreement between the parties, Conciliation Officers have the power to make recommendations or directions, refer medical questions to the Medical Panel, or issue a certificate allowing the parties to proceed to court.

As well as having powers and responsibilities under the *Accident Compensation Act 1985*, Conciliation Officers work under Ministerial Guidelines and a Code of Conduct and Protocols developed by the Conciliation Service.

Statistical overview

Statistics are used by the ACCS as guides to identify trends, rather than as definitive indicators of performance. The ACCS monitors the nature and flow of requests for conciliation to determine resource requirements.

The table below summarises the work of the ACCS during the past year compared to the previous year.*

	2008/2009	2007/2008
New requests	12592	12969
Re-opened matters	856	920
Disposals	13397	14034
Cases in progress	2775	2730

The number of requests for conciliation and re-opened matters decreased by 3.2%. The number of disposals decreased by 4.5% and there was an increase in cases in progress of 1.6%.

* The ACCS's workload consists of New Requests for conciliation and a small number of previously conciliated matters which are "Re-opened". Disposals are those matters finalised by the ACCS (as detailed in the table of Outcomes on page 4). Cases in Progress includes matters that are awaiting finalisation, those that have been scheduled for conference and those that have only recently been received.

Disputes lodged for conciliation

Requests for conciliation categorised by the nature of the dispute

	2008/2009		2007/2008	
Nature of Dispute (New Requests & Re-opened Matters)	No.	%	No.	%
Alterations and reductions to weekly payments	78	0.6	83	0.6
Lump sum payments (Sections 98 & 98A)	148	1.1	174	1.2
Medical and like expenses	5108	38	5628	40.5
Payment of weekly payments (Section 114D)	728	5.4	683	4.9
Rejection of claim	2364	17.6	2285	16.5
Terminations at 104/130 weeks of compensation	1344	10	1311	9.4
Other terminations	1710	12.7	1722	12.4
Other	781	5.8	814	5.9
Non economic loss (Sections 98C, 98E & 104B)	1187	8.8	1189	8.6
Total	13448	100	13889	100

There was slight decrease in overall disputes this year compared to last year.

Some Requests for Conciliation are referred to the Senior Conciliation Officer to consider whether they are able to be lodged. These include

- requests not signed by the person making the request;
- matters where there appears to be no current dispute;
- the dispute has been previously conciliated;
- the ACCS does not have jurisdiction;
- lump sum compensation (S98/98A) disputes where the S104A conference form required by the Ministerial Directions has not been provided;
- the request is outside the statutory period of 60 days of the worker receiving the decision they wish to contest. The Senior Conciliation Officer allows extensions of time where appropriate.

If further information is required in these matters, it is requested of applicants before a decision on lodgement is made. During the past year, 2009 requests were referred to the Senior Conciliation Officer for review and in that period 250 matters were not lodged for conciliation. In 2007-2008, 2142 requests were referred to the Senior Conciliation Officer and 282 were not lodged for conciliation.

Outcomes

Outcomes	2008/2009			2007/2008		
	No.	% of total completed	% of outcomes	No.	% of total completed	% of outcomes
Resolved by agreement – no variation to original decision	715	5.9	5.3	1012	7.8	7.2
Resolved by agreement – variation to original decision	4289	35.3	32	4804	37.0	34.2
Resolved by agreement to a recommendation	2325	19.1	17.4	2647	20.4	18.9
Withdrawn	767	6.3	5.7	711	5.5	5.1
Direction	129	1.1	1.0	149	1.1	1.1
Resolved subtotal	8225	67.7	61.4	9323	71.8	66.4
Unresolved	3918	32.3	29.2	3667	28.2	26.1
Total completed	12143	100.0	90.6	12990	100.0	92.6
Not proceeding*	1243		9.3	1026		7.3
No jurisdiction	11		0.1	18		0.1
Total	13397		100.0	14034		100.0

*The category of 'Not Proceeding' is used for matters that have been suspended and may be finalised in the future.

The overall resolution rate was 67.7% compared with 71.8% last year.

The number of matters which can be resolved at conciliation will be affected by various factors outside the control of the ACCS eg, the quality of decisions of WorkCover agents and self-insurers, the attitudes of the parties to court proceedings, other disputes the claimant may have before the courts. The resolution rate by itself should not be taken as a measure of the quality of conciliation. No targets for this rate are set by the ACCS.

"It (Conciliation) brings the parties together and when there is an issue... they hear each side and there is an Outcome." Source: ACCS 08/09 Client Survey of Employers. See Client Survey section of this report for more information.

Time to disposal

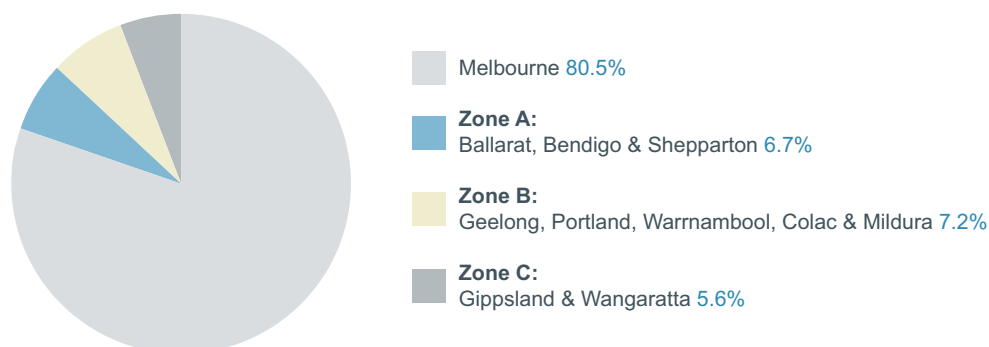
During the time that a request is active at conciliation, work takes place before the conference, at the conference, and after the conference. As a result, 38.5% of disputes were disposed of without the need for a conference. In many matters, the conciliation process is not completed until after the conference has been held, allowing for further investigation following the conference, additional information, or time for either party to confer with their assistants or obtain legal advice.

Time to disposal	2008/2009		2007/2008	
	No	%	No.	%
40 days or less	4011	29.9	5013	35.7
Between 41 & 60 days	3493	26.1	3209	22.9
Between 61 & 80 days	1993	14.9	1857	13.2
Between 81 & 100 days	1141	8.5	836	6.0
Over 100 days	2759	20.6	3119	22.2
Total	13397	100.0	14034	100.0

Conciliation Officers referred 1036 matters to the Medical Panel in 2008-2009 (1270 in 2007-2008). Matters referred to the Medical Panel generally have a longer time to disposal due to the time required for the Medical Panel to arrange assessments and provide their opinion. Matters referred to the Medical Panel took on average 57 days from when the ACCS made the referral until an opinion was provided.

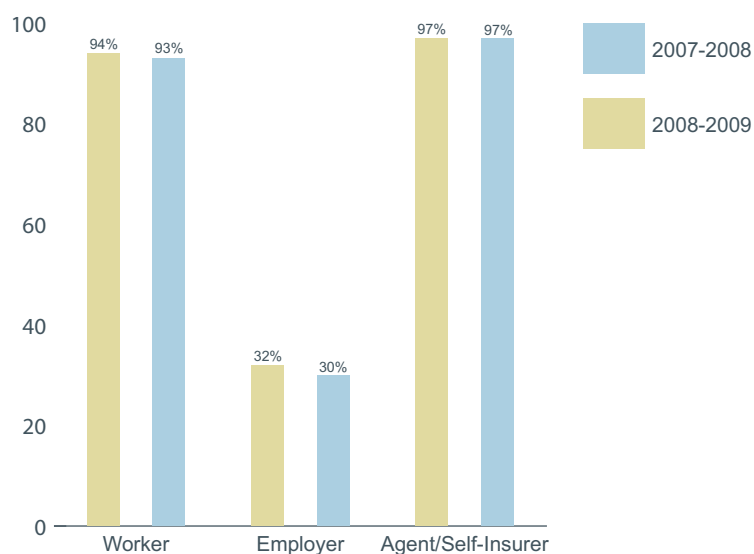
Regional conferences

The chart below shows the distribution of conferences in the four regions into which the ACCS divides the State. While the majority of conferences continue to be held in the Melbourne metropolitan area, significant travel is undertaken each month by Conciliation Officers in an attempt to make the process of conciliation more accessible to those living and working outside the Melbourne metropolitan area.



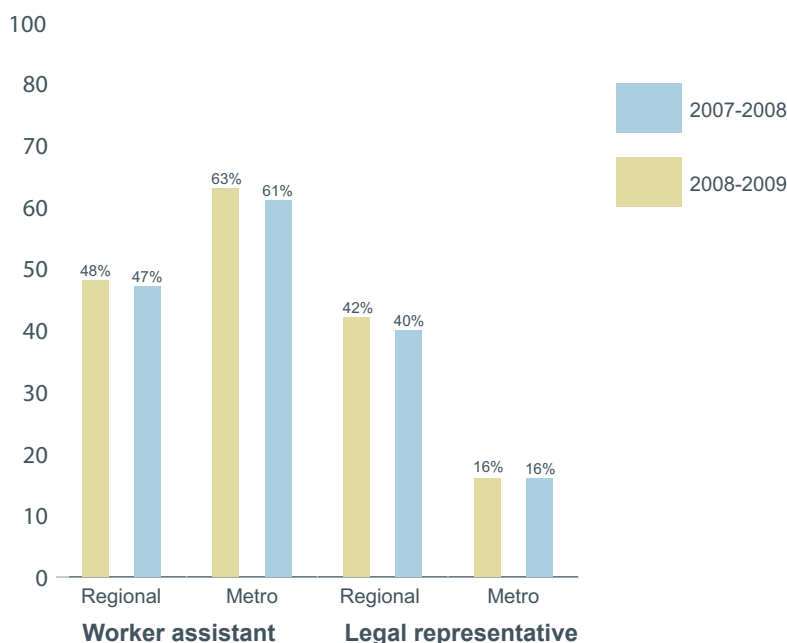
Attendance at conferences

Percentage of conferences attended by various parties



Attendance by parties at conferences is affected by a number of factors. In most cases each separate party is sent a request to attend the conference and it is usually considered beneficial to attend the conference in person. However, in some matters, particularly those involving payment of expenses for medical reports by the WorkCover agent or self-insurer, the worker and/or employer may not be requested to attend the conference. Attendance by employers appears also to depend on the nature of the dispute, for example, they attend more conferences about decisions to reject claims compared to other decisions.

Percentage of conferences where a worker was accompanied by an assistant or legal representative.



The above graph shows the percentage of conferences where a worker was accompanied by an assistant or representative and provides a comparison between metropolitan and country conferences.

Client and stakeholder service

Strategic Planning

Strategic planning sessions were held in 2007-08 to set the direction for the ACCS for the years 2008-10. The following strategic objectives were agreed:

- Improved service delivery through the provision of conferences in outer metropolitan areas;
- Improved stakeholder liaison;
- Improved relationships with stakeholders through structured secondments of ACCS staff into stakeholder workplaces and stakeholder staff into the ACCS;
- Provision of Alternative Dispute Resolution training for stakeholders;
- Provision of conciliation services more broadly throughout the Workers' Compensation Scheme;
- Input into the Accident Compensation Act Review.

A Strategic Planning day was held on 5 February 2009 to re-assess the ACCS Strategic Plan in light of the changed economic climate. The following changes to the Plan were agreed.

Conferences in outer metropolitan areas	In 2007-08 a pilot project was established to conduct conciliation conferences in the Moorabbin Justice Centre in Cheltenham. The pilot was evaluated in 2008 and found to have been successful with most stakeholders highly satisfied with the venue. The recommendation from the evaluation was that the ACCS conduct conciliation conferences in the outer areas of Melbourne to more appropriately cater for parties who are geographically remote from the CBD area. It is not possible to act on this recommendation in 2009-10 because of budgetary restraints.
Improved stakeholder liaison	Regular quarterly meetings that were implemented in 2007-08 continued in 2008-09 and will continue into 2009-10.
Secondments	Secondments were examined in 2008-09 but it was difficult to engage agency to agency agreement. This strategy has been changed to encouraging individuals to explore opportunities with partner and complementary organisations.
ADR training for stakeholders and information pack	See table on page 8 for training delivered in 2008-09

The Strategic Plan was also amended to provide for some new initiatives for 2009-10. Those initiatives are outlined in the table below.

New Initiatives	2009 Focus
Online Conciliation Services	In 2009, a Staff working party (comprised of Information and Conciliation Officers) will be established to explore opportunities for on line service delivery and or administration and will recommend options subject to budget constraints.
Mandatory conciliation in Common Law matters & pre trial conferences	<p>Matters that do not resolve at conciliation can proceed to the Magistrates Court. In 2009, the SCO will liaise with the Deputy Chief Magistrate to pilot a program where these matters are referred from the Magistrates' Court to the ACCS for a pre-trial conference to attempt to resolve the matter.</p> <p>Common Law matters are currently filed in the courts without the need for any form of ADR process. In 2009, the SCO will canvas the possibility of pre-filing conciliation conferences in common law matters.</p>
Continuous Improvement	<p>In 2009, the SCO and a working party of COs will look at a number of ways to improve the conciliation process. The areas that will be considered will include but are not limited to:</p> <ul style="list-style-type: none">• Triaging• Peer support• Onsite conferences• Efficiency of country circuits

Training for stakeholders and other presentations

The ACCS provides information sessions and presentations to stakeholders and interested groups.

The following presentations were delivered in 2008-09:

Conciliation Officer	Organisation
Susan Cibau	WorkSafe Victoria Return to Work Network Preston WorkSafe Victoria Return to Work Network Rowville CGU Legal information for employers seminar Allianz technical specialists training Forensic Psychiatrists National Mediation Conference
Sharon Brennan	CGU Cambridge Integrated Services Allianz technical specialists training
Pauline Burke	CGU Cambridge Integrated Services Swinburne University
Greg Enticott	Employer RTW Network Rowville Allianz technical specialists training
Kevin O'Neill	LaTrobe University
Glenn Boseley	Nabenet Workable Consulting
Nina McCarthy	AMWU Vehicle Division

Feedback

In addition to statistical indicators, assessment and analysis of the quality of the service provided by the ACCS is measured in a variety of ways.

Complaints and compliments

Complaints and compliments are monitored to ensure that there are no systemic issues raised. In 2008-09, the ACCS registered 22 complaints. These were generally complaints about individual matters. No systemic problems were identified.

Compliments are regularly received following a conference.

ACCS User Group

The ACCS User Group was established in 2006 at the request of the Minister for WorkCover. The User Group's primary roles are to provide a forum to:

- Raise ongoing and operational issues of concern to stakeholders and the ACCS.
- Build a shared understanding of the current issues facing the ACCS and stakeholders and the environment in which they operate.
- Investigate and advise on service performance standards and KPIs for the ACCS that do not undermine the independence of the Conciliation Service, to facilitate continuous improvement in the organisation.

The User Group advises the Minister on, and provides the Minister with sufficient information in regard to its role.

The User Group membership includes major stakeholders and DTF and is chaired by the Senior Conciliation Officer. Current membership includes:

- A representative from the Victorian Trades Hall Council.
- A WorkCover Agents' representative.
- A representative from the Victorian WorkCover Authority.
- A representative from an employer association.

The User Group meets quarterly.

Client survey

In support of our aim to deliver outstanding service to parties involved in the conciliation process, the ACCS has since 1994 regularly surveyed workers, employers, WorkCover agents and self-insurers.

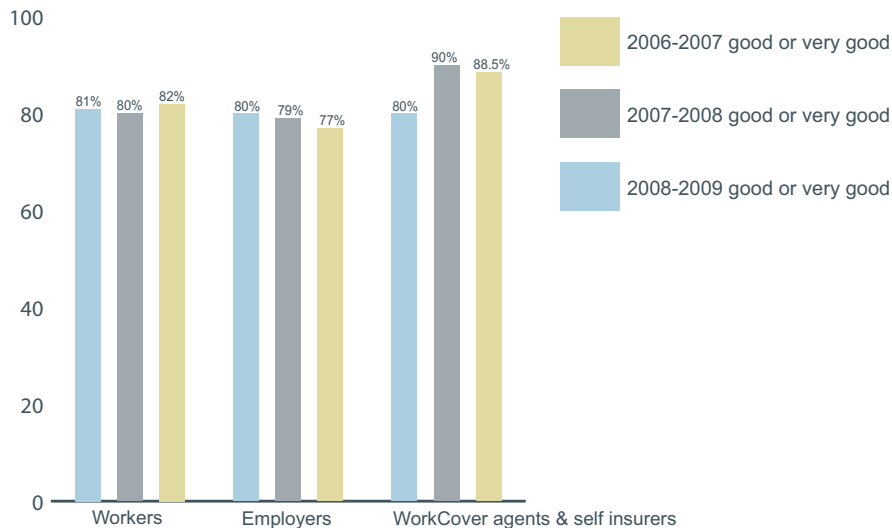
This has proved a useful tool to help monitor and improve our performance in service delivery to clients.

In 2008/09, the Agents and Self-Insurer component of the survey was conducted by way of an online questionnaire. This change in methodology was developed in response to issues arising out of previous surveys such as smaller population size and respondent burden.

As part of the survey, the following question about overall perceptions of the service provided throughout the conciliation process is asked of workers, employers, WorkCover agents and self-insurers:

"Thinking about all of your dealings with the ACCS (involving this dispute), regardless of the outcome how would you rate the service you received?"

The percentage of each group rating the service good or very good were:



This shows that the percentage of workers and employers rating the service received as good or very good has remained stable. The percentage of WorkCover Agents/Self-Insurers rating service received as good or very good has dropped significantly since 2007/08 and this feedback will be the focus of further attention over the next year.

"I thought it was highly personable and everything was well explained. I was very nervous to start with but I felt very relaxed by the end of it. It was non-threatening. I also felt it was fair."
Source: ACCS 08/09 Client Survey of Workers.

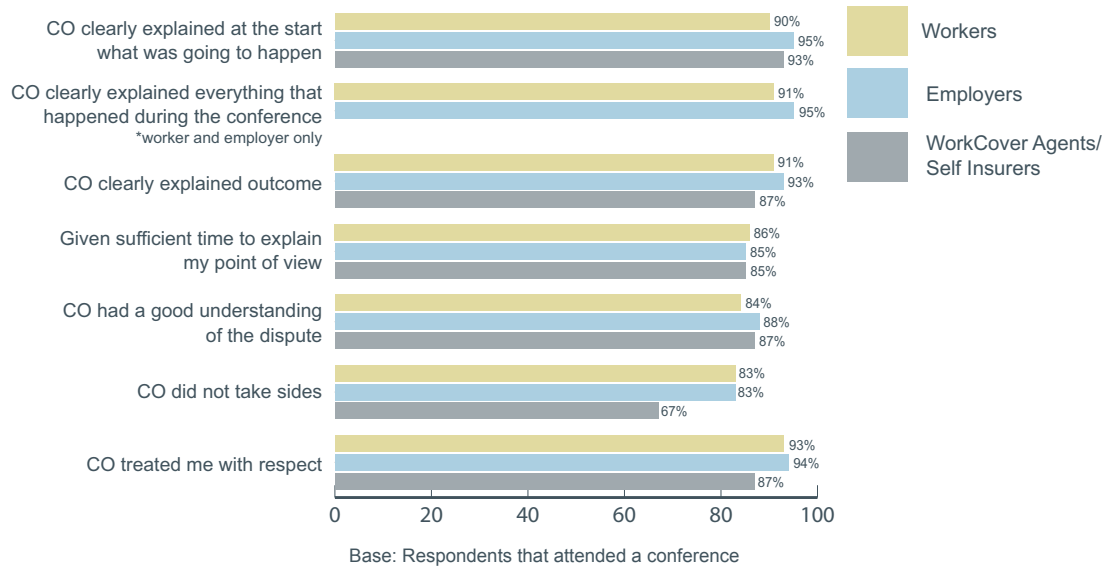
"(Conciliation) gives us an opportunity to have a discussion with an independent person in an environment where there are three parties that don't quite agree. It's an opportunity to clear the air and move on." Source: ACCS 08/09 Client Survey of Employers.

"The Conciliation process was undertaken in a professional manner. The Conciliation Officer was impartial... and managed the conference well." Source: ACCS 08/09 Client Survey of WorkCover agents/self-insurers.

Each client group was also asked whether they agreed or disagreed that Conciliation was a valuable process. The percentage of each group that agreed was: 86% of workers (88% in 07-08 and 90% in 06-07), 88% of employers (85% on 07-08 and 89% in 06-07) and 80% of WorkCover agents/self-insurers (96% in 07-08 and 94% in 06-07).

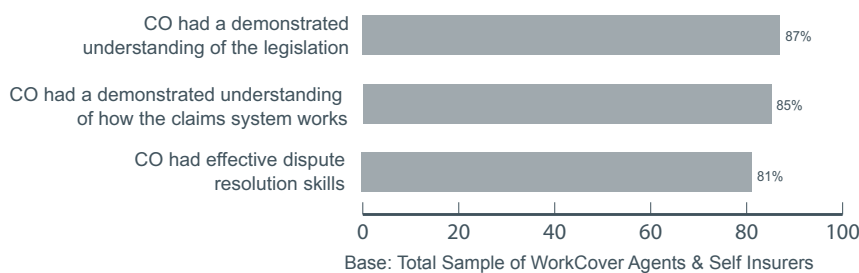
Another key section of the survey asks whether the respondent agrees or disagrees with a number of statements as to the conduct of the conference. Most statements were agreed to by over 80% of respondents, with the lowest percentage of agreement being 67%.

The percentage of each client group that agreed with statements about the conduct of the conference was:



As well as the above statements, WorkCover agents and self-insurers were also asked if they agreed or disagreed with three additional statements regarding Conciliation Officer (CO) understanding of the legislation and how the claims management system works, as well as whether or not the CO had good dispute resolution skills.

The percentage of WorkCover Agents and self-insurers that agreed with these statements were:



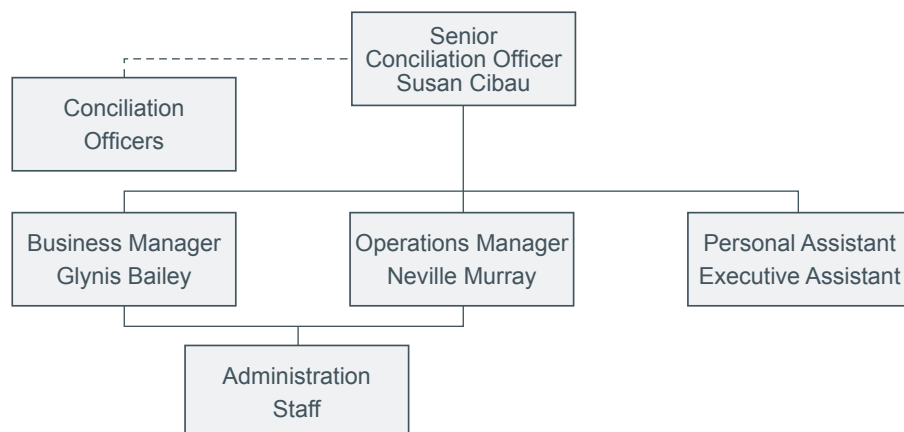
A report that provides an overview of responses to the 2008-2009 Client Survey is available upon request from the ACCS.

The Organisation

The ACCS is an independent body corporate established under the *Accident Compensation Act 1985*. The funding of the ACCS, as approved by the Minister for WorkCover, is provided by the Victorian WorkCover Authority.

The Governor in Council appoints a Senior Conciliation Officer and other Conciliation Officers. The Senior Conciliation Officer exercises powers in accordance with the *Accident Compensation Act 1985* and observes guidelines issued by the Minister. The Service consists of one member, the Senior Conciliation Officer. The Service engages Conciliation Officers to carry out its functions.

The Business Manager has been appointed by the Service as the Chief Finance and Accounting Officer. She is responsible for the financial administration and the management of the corporate services of the organisation. The Operations Manager is responsible for the management of the administrative support staff of the Service.



Workforce data

Position	2008/2009			2007/2008		
	Male	Female	Total	Male	Female	Total
Conciliation officer	19	17	36	20	18	38
Administrative staff	11	35	46	13	33	46
Total	30	52	82	33	51	84
Position	Full time	Part time	FTE*	Full time	Part time	FTE*
Conciliation officer	22	14	31.2	23	15	32.4
Administrative staff	41	5	43.6	40	6	43
Total	63	19	74.8	63	21	75.4

*Full time equivalent

Developing our staff

The ACCS continues to maintain a strong focus on supporting and encouraging professional development.

Conciliation Officers have attended workshops, conferences and courses and participated in regular internal professional development programs. Particular areas focussed on during the year included legislation issues as well as continued development in alternative dispute resolution.

Administration staff attended a number of external training programs to develop role specific skills such as computer, IT and technical skills. Other external training undertaken had a strong focus on career development with staff attending workshops and seminars in areas such as Frontline Management, Project Management, Communication and Leadership skills.

A number of internal information sessions were provided to administration staff, covering areas such as Customer Service, Privacy and Security Awareness.

In 2008-2009, approximately 1100 days were invested in employee and professional development activities.

Health and safety

The ACCS continues to focus on maintaining a safe and healthy working environment for staff and visitors and promoting continued awareness amongst staff. The ACCS operates within the Victorian WorkCover Authority's SafetyMAP system which was re-certified by external auditors in July 2008.

Areas that continue to receive particular attention include:

- Security;
- Working environment; and
- Staff awareness of health and safety policies and procedures.

Health and safety activities included general occupational health and safety training for new staff and specific training for the health and safety representative, fire wardens and first aiders. Approximately 22 days were invested in OHS related training in 2008-2009.

Staff are consulted and are engaged in the development of occupational health and safety policies and procedures.

Publications and information

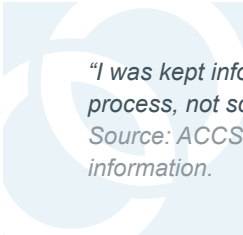
The ACCS publishes information to assist our clients in effectively preparing for and participating in the conciliation process. All publications are available free of charge and can be obtained by contacting the ACCS. Much of this information is also available via the ACCS website: www.conciliation.vic.gov.au.

The following publications and information about the ACCS are available to the public:

- Request for Conciliation form
- Resolving workers compensation disputes – the conciliation process booklet*
- Resolving workers compensation disputes – the conciliation process DVD**
- Annual Report
- Client Survey Report
- Code of Conduct and Protocols
- Privacy Policy
- Procedures under the Whistleblowers Protection Act
- Complaints Process

* Available in the following languages: English, Arabic, Croatian, Greek, Italian, Macedonian, Mandarin, Polish, Serbian, Spanish, Turkish and Vietnamese

** Available in the following languages: English, Arabic, Croatian, Greek, Italian, Macedonian, Serbian, and Vietnamese. The English version includes closed captions for use by hearing impaired people.



"I was kept informed at all times and the DVD... made you feel relaxed about the whole process, not scared or worried about what was going to be happening."

Source: ACCS 08/09 Client Survey of Workers. See Client Survey section of this report for more information.

Culturally diverse Clients

The clients of the ACCS are culturally and linguistically diverse. For example in 2008-2009, 14% of people who requested conciliation indicated that they would need an interpreter.

Consequently, the ACCS seeks to maintain awareness of clients with culturally diverse backgrounds and their experiences of conciliation. In 2008-2009 we attended to the needs of such clients in a range of ways, including:

Through our publications

Our Request for Conciliation form is often the first contact point between the ACCS and our clients. This form includes a section asking the client to nominate whether an interpreter is needed.

Once a Request for Conciliation form has been received, we provide a DVD and booklet that is designed to familiarise workers and employers with the conciliation process and to help these parties prepare for and participate in this. Both are produced in multiple languages and highlight the availability of free interpreter services.

In 2008-2009, the booklet was available in 12 languages and the DVD was available in eight languages.

In addition, both the form and booklet advise clients in numerous languages how to contact the ACCS through a telephone interpreter service.

Through language services

To help ensure that people from diverse language backgrounds have appropriate access to conciliation, a free interpreter service is available to our clients. This is available through the provision of professional interpreter services at conciliation conferences as well as through telephone communications.

Through client surveying

The independent research company who were engaged to carry out the Annual Client Survey employ multi-lingual survey staff to ensure that people from diverse language backgrounds can participate effectively in the survey.

The ACCS will continue to maintain its focus on providing appropriate service in relation to our diverse client base.

ACCIDENT COMPENSATION CONCILIATION SERVICE

2008-09 FINANCIAL REPORT

Operating Statement

Balance Sheet

Cash Flow Statement

Statement of Recognised Income and Expenditure

Notes to and forming part of the Financial Statements:

- 1 Accident Compensation Conciliation Service
- 2 Summary of Significant Accounting Policies
- 3 Operating Costs
- 4 Remuneration of Auditors
- 5 Commitments
- 6 Related Party Disclosures
- 7 Remuneration of Responsible Persons
- 8 Remuneration of Executive Officers

Statement by Senior Conciliation Officer and Business Manager

Auditor-General's Report

Operating Statement for the year ended 30 June 2009

		2009 \$000s	2008 \$000s
	Note		
Revenue and Income			
Funding from Victorian WorkCover Authority	2(b)	11,388	11,530
TOTAL REVENUE AND INCOME		11,388	11,530
Expenses			
Operating costs	3	11,388	11,530
TOTAL EXPENSES		11,388	11,530
NET RESULT FOR THE YEAR		—	—

The operating statement should be read in conjunction with the accompanying notes to the financial statements.

Balance Sheet as at 30 June 2009

	2009 \$000s	2008 \$000s
Current assets	—	—
Non-current assets	—	—
TOTAL ASSETS	—	—
Current liabilities	—	—
Non-current liabilities	—	—
TOTAL LIABILITIES	—	—
NET ASSETS	—	—
Equity		
Accumulated Surplus	—	—
TOTAL EQUITY	—	—

The balance sheet should be read in conjunction with the accompanying notes to the financial statements.

Cash Flow Statement for the year ended 30 June 2009

	2009 \$000s	2008 \$000s
Cash Flows From Operating Activities	—	—
Cash Flows From Investing Activities	—	—
Cash Flows From Financing Activities	—	—
NET INCREASE IN CASH HELD	—	—
Cash at the beginning of the financial year	—	—
CASH AT THE END OF THE FINANCIAL YEAR	—	—

The cash flow statement should be read in conjunction with the accompanying notes to the financial statements.

Statement of Recognised Income and Expenditure for the year ended 30 June 2009

	2009 \$000s	2008 \$000s
Total equity at beginning of the year	—	—
Net result for the year	—	—
TOTAL RECOGNISED INCOME AND EXPENSE FOR THE YEAR	—	—
TOTAL EQUITY AT END OF THE YEAR	—	—

The statement of changes in equity should be read in conjunction with the accompanying notes to the financial statements.

Notes to and forming part of the Financial Statements for the Year Ended 30 June 2009

1. ACCIDENT COMPENSATION CONCILIATION SERVICE

The Accident Compensation Conciliation Service (ACCS) was established on 1 July 2002 under Section 52A of the *Accident Compensation Act 1985* (the 'Act').

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Statement of compliance

The financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards, Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board (AASB) and the *Financial Management Act 1994*. Accounting Standards include Australian equivalents to International Financial Reporting Standards (A-IFRS). For the purposes of A-IFRS, the Victorian State Government has determined that the ACCS is a not-for-profit entity.

The financial statements were authorised for issue by the Business Manager on 7 September 2009.

Basis of preparation

The financial report is for the Accident Compensation Conciliation Service (ACCS) as an individual entity. The ACCS is a statutory authority established by statute enacted by the Victorian State Parliament and domiciled in Australia.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values. Cost is based on the fair values of the consideration given in exchange for assets. Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

The AASB has issued the following amendments to Australian Accounting Standards, which are applicable to the ACCS:

	Title	Operative Date
2007-8	Amendments to Australian Accounting Standards arising from AASB 101 (revised statement)	1 January 2009
2007-10	Further amendments to Australian Accounting Standards arising from AASB 101 (revised standard)	1 January 2009
2008-5	Amendments to Australian Accounting Standards arising from the Annual Improvements Project	1 January 2009
AASB 101	Presentation of Financial Statements (revised standard)	1 January 2009
AASB 1048	Interpretation and Application of Standards	31 March 2009

These amendments are not effective for the annual reporting period ended 30 June 2009 and have not been applied in preparing the ACCS's financial report. The nature of the impact of the application of these standards is disclosure only. The ACCS will apply these standards for the annual reporting periods beginning on or after the operative dates set out above.

The following significant accounting policies have been adopted in the preparation and presentation of the financial report:

(a) Cash Flow

The ACCS does not maintain bank accounts. Under funding arrangements made with the Victorian WorkCover Authority the ACCS utilises the Authority's banking arrangements to facilitate its payments.

(b) Funding from Victorian WorkCover Authority

The ACCS is funded by the Victorian WorkCover Authority in accordance with Section 52L of the Act. All employee and related costs are met through this funding arrangement, including annual and long service leave entitlements, and superannuation.

(c) Operating leases

The ACCS has continuing obligations under operating lease agreements for certain buildings, motor vehicles and office equipment. Operating lease payments are charged as an expense in the operating statement on a straight line basis over the lease term, except where another systematic basis is more representative of the time pattern in which economic benefits from the leased asset are consumed.

(d) Employee benefits

Defined contribution superannuation plans

Contributions to defined contribution superannuation plans are expensed when incurred.

(e) Comparative information

Where necessary, comparative information has been adjusted to achieve consistency in presentation with the current financial year.

(f) Rounding

Amounts have been rounded to the nearest thousand dollars, unless otherwise stated.

(g) Presentation and functional currencies

The presentation currency of the ACCS is the Australian dollar, which is also the functional currency of the ACCS.

3 OPERATING COSTS

	2009	2008
	\$000s	\$000s
Staff and related	7,636	7,541
Occupancy and utilities	1,545	1,818
Information technology	914	897
Asset rental expenses	435	435
Marketing and communication	130	126
Professional services	144	162
Other expenses	584	551
	11,388	11,530

Operating costs include the following:

	2009	2008
	\$000s	\$000s
Operating lease rentals		
Premises	1,077	1,267
Motor vehicles	249	235
Office equipment	31	29
	1,357	1,531

Employee benefit expense

- Post employment benefits:

Defined contribution plans	752	769
- Salaries and other employee benefits	6,745	6,700
	7,497	7,469

4 REMUNERATION OF AUDITORS

	2009	2008
	\$000s	\$000s
Auditor of the entity:		
Audit of the financial report - Victorian Auditor-General	11	7
	11	7

5 COMMITMENTS**Operating Leases**

Future minimum lease payments under non-cancellable operating lease arrangements:

	2009	2008
	\$000s	\$000s
Due within one year	1,397	1,601
Due later than one year and less than five years	2,798	4,948
Due later than five years	-	-
	4,195	6,549

6 RELATED PARTY DISCLOSURES**Responsible Persons**

In accordance with the Directions of the Minister for Finance under the Financial Management Act 1994, the responsible persons who held office during the financial year were the Hon. Tim Holding MP, Minister for Finance, WorkCover and the Transport Accident Authority, and Ms Susan Cibau, Senior Conciliation Officer.

There were no responsible person-related party transactions during the year.

7 REMUNERATION OF RESPONSIBLE PERSONS

Income Band	2009	2008
\$10,001 - \$20,000	-	-
\$40,001 - \$50,000	-	-
\$110,001 - \$120,000	-	-
\$160,001 - \$170,000	-	1
\$170,001 - \$180,000	1	-

Remuneration of responsible persons includes income from fees, salaries, bonuses, other benefits (including non-cash benefits) and superannuation contributions.

8 REMUNERATION OF EXECUTIVE OFFICERS

	2009 \$000s	2008 \$000s
Total remuneration of all executive officers received or receivable in connection with their employment.	173	171

The number of executive officers of the ACCS, excluding the Senior Conciliation Officer, whose total remuneration exceeded \$100,000 is shown in the table below. Base remuneration is exclusive of bonus, long-service leave and redundancy payments.

Income Band	Base Remuneration		Total Remuneration	
	2009	2008	2009	2008
\$90,001 - \$100,000	-	1	-	-
\$110,001 - \$120,000	-	-	-	-
\$150,001 - \$160,000	-	-	-	-
\$170,001 - \$180,000	-	-	-	1

Statement by Senior Conciliation Officer and Business Manager

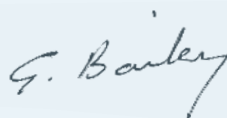
We certify that the financial report of the Accident Compensation Conciliation Service has been prepared in accordance with Standing Direction 4.2 of the *Financial Management Act 1994*, applicable Financial Reporting Directions, Australian accounting standards and other mandatory professional reporting requirements.

We further state that, in our opinion, the information set out in the operating statement, balance sheet, statement of changes in equity, cash flow statement and notes to and forming part of the financial statements, presents fairly the financial transactions during the year ended 30 June 2009 and the financial position of the Accident Compensation Conciliation Service as at 30 June 2009.

We are not aware of any circumstances which would render any particulars included in the financial report to be misleading or inaccurate.



Susan Cibau
Senior Conciliation Officer



Glynis Bailey
Business Manager

Dated at Melbourne this 7th Day of September 2009



Victorian Auditor-General's Office

INDEPENDENT AUDITOR'S REPORT

To the Members of the Board, Accident Compensation Conciliation Service

The Financial Report

The accompanying financial report for the year ended 30 June 2009 of the Accident Compensation Conciliation Service which comprises the operating statement, balance sheet, statement of recognised income and expenditure and cash flow statement, a summary of significant accounting policies and other explanatory notes to and forming part of the financial report, and the statement by the senior conciliation officer and chief finance and accounting officer has been audited.

The Responsibility of the Senior Conciliation Officer for the Financial Report

The Senior Conciliation Officer is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the financial reporting requirements of the *Financial Management Act*. This responsibility includes:

- establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error
- selecting and applying appropriate accounting policies
- making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit, which has been conducted in accordance with Australian Auditing Standards. These Standards require compliance with relevant ethical requirements relating to audit engagements and that the audit be planned and performed to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The audit procedures selected depend on judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, consideration is given to the internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of the accounting policies used, and the reasonableness of accounting estimates made by the Senior Conciliation Officer as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

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Auditing in the Public Interest

Independent Auditor's Report (continued)

Matters Relating to the Electronic Presentation of the Audited Financial Report

This auditor's report relates to the financial report published in both the annual report and on the website of the Accident Compensation Conciliation Service for the year ended 30 June 2009. The Senior Conciliation Officer is responsible for the integrity of the website. I have not been engaged to report on the integrity of the website. The auditor's report refers only to the statements named above. An opinion is not provided on any other information which may have been hyperlinked to or from these statements. If users of this report are concerned with the inherent risks arising from electronic data communications, they are advised to refer to the hard copy of the audited financial report to confirm the information included in the audited financial report presented on the Accident Compensation Conciliation Service website.

Independence

The Auditor-General's independence is established by the *Constitution Act 1975*. The Auditor-General is not subject to direction by any person about the way in which his powers and responsibilities are to be exercised. In conducting the audit, the Auditor-General, his staff and delegates complied with all applicable independence requirements of the Australian accounting profession.

Auditor's Opinion

In my opinion, the financial report presents fairly, in all material respects, the financial position of the Accident Compensation Conciliation Service as at 30 June 2009 and its financial performance and cash flows for the year then ended in accordance with applicable Australian Accounting Standards (including the Australian Accounting Interpretations), and the financial reporting requirements of the *Financial Management Act 1994*.

MELBOURNE
7 September 2009


for D D R Pearson
Auditor-General

Compliance Index To Disclosure Requirements 2008/09

Disclosure Index

The Annual Report of the ACCS is prepared in accordance with all relevant Victorian legislations. This index has been prepared to facilitate identification of the ACCS's compliance with statutory disclosure requirements.

Legislation	Requirement	Page reference
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Ministerial Directions

Report of Operations

Charter and purpose

FRD 22B	Manner of establishment and the relevant Minister	1, 17,18
FRD 22B	Objectives, functions, powers and duties	1,2,12
FRD 22B	Nature and range of services provided	1,2

Management and structure

FRD 22B	Organisational structure	12
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Financial and other information

FRD 29	Workforce data disclosures	12
FRD 22B	Summary of the financial results for the year	N/A
FRD 22B	Significant changes in financial position during the year	N/A
FRD 22B	Operational and budgetary objectives and performance against objectives	2,3,4
FRD 22B	Major changes or factors affecting performance	N/A
FRD 22B	Subsequent events	N/A
FRD 22B	Details of consultancy expenditure	N/A
FRD 22B	Application and operation of Freedom of Information Act 1982	24
FRD 22B	Compliance with building and maintenance provisions of Building Act 1993	24
FRD 22B	Application and operation of the Whistleblowers Protection Act 2001	24
FRD 22B	Statement on National Competition Policy	N/A
FRD 22B	Statement of availability of other information	24
FRD 22B	Occupational health and safety policy	13
FRD 22B	Employment and conduct principles	2,12
FRD 10	Disclosure index	22,23
FRD 25	Victorian Industry Participation Policy disclosures	N/A

Financial Statements

Financial statements required under Part 7 of the FMA

SD 4.2(a)	Statement of Changes in Equity	16
SD 4.2(b)	Operating Statement	16
SD 4.2(b)	Balance Sheet	16
SD 4.2(b)	Cash Flow Statement	16
SD 4.2(c)	Compliance with Australian accounting standards and other authoritative pronouncements	17,19
SD 4.2(c)	Compliance with Ministerial Directions	18,19,24
SD 4.2(c)	Accountable officer's declaration	19
SD 4.2(d)	Rounding of amounts	18
SD 4.2(g)	General information requirements	19
SD 4.2(j)	Sign-off requirements	19

Other disclosures in notes to the financial statements

FRD 11	Disclosure of ex-gratia payments	N/A
FRD 21A	Responsible person and executive officer disclosures	18,19
FRD 112A	Defined Benefit Superannuation obligations	17

Legislation

Page reference

Legislation

Freedom of Information Act 1982	24
Building Act 1983	24
Whistleblowers Protection Act 2001	24
Victorian Industry Participation Policy Act 2003	N/A
Financial Management Act 1994	20

Corporate compliance

Freedom of Information

The Accident Compensation Conciliation Service is subject to the Freedom of Information Act 1982. Particulars of the functions and the organisation of the ACCS and the publications and information available are set out on pages 1, 12 and 13 respectively of this Report.

Requests for access to documents should be made in writing to the Senior Conciliation Officer. Further procedural information in relation to such requests can be obtained from the Senior Conciliation Officer. Contact details are on the back cover of this Report.

Building Act

The Accident Compensation Conciliation Service complies with the Building Act 1993 with respect to alterations and maintenance to its building. It is not aware of any material non-compliance with the current building standards.

Whistleblower Protection

The Accident Compensation Conciliation Service complies with the Whistleblower Protection Act 2001 and makes available its published procedures. There have been no disclosures or disclosed matters made or referred to the Service and no requests to the Ombudsman.

Availability of other information

To the extent applicable, the information required under Financial Reporting Direction 22B issued by the Minister for Finance under the Financial Management Act 1994 has been prepared and is available on request (subject to the provisions of the Freedom of Information Act).



For information regarding this report, please contact the

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