

# WIRO

## Solutions Group Update

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## Our legislative mandate

s27 of the 1998 Act

- > Complaints from workers
- > About insurers
- > Affecting rights, entitlements and obligations

## The insurer's obligations

s27B of the 1998 Act

- > Provide specified information
- > For WIRO to exercise functions
- > A condition of insurer's licence

## Complaints – not compliments

- > It's human nature
- > Proportionality – 250 complaints / month against thousands of open claims
- > We encounter a minority

## The WIRO protocol

- > Published on our website
- > Describes our process and expectations
- > Two business day turnaround for initial contact
- > Separate obligation to s287A

## Assertive and friendly



## By the numbers

- > We log complaints and enquiries
- > FY 2016-17
  - 2752 Complaints
  - 3157 Enquiries

## By the numbers

Q1-2 2017	vs Q1-2 2016
1476 Complaints	<b>up 29.6%</b>
1920 Enquiries	<b>up 22.0%</b>



## By the numbers

Jan–Feb 2018	vs Jan-Feb 2017
552 Complaints	<b>up 26.6%</b>
517 Enquiries	<b>up 11.2%</b>

## **Factors in increased contact**

- > Brand awareness
- > Past successes
- > Section 39
- > Rationalisation of iCare scheme agents

## Where we fit in the industry

- > Education (incl. *Solutions Brief*)
- > Reporting to SIRA, iCare, etc
- > Prevent disputes from escalating to WCC
- > Allows other parties time to focus on core issues

## Insurer outreach



## Success story

### Section 38 requests

- > No response to section 38 assessment request
- > Four years of certificates
- > **\$113,000** in weekly payments

## Success story

### Transitional rate of PIAWE

- > Applied in April 2014
- > List of payments revealed worker not an existing recipient
- > Entitled to back payment at former rate
- > **\$115,000** in past payments

## Success story

Change of agent – double denial

- > Injury under one insurer
- > Return to work
- > Downgrades
- > Both insurers deny risk
- > Someone is liable!
- > iCare involved

## Success story

### Indexation

- > WCD in 2015 determined ability to earn
- > PIAWE not indexed for 3.5 years
- > Therefore, weeklies never adjusted
- > Back payments made



## Success story

### PIAWE

- > Solutions group staff are trained by iCare and CFMEU
- > We ask questions of insurers others do not
- > Sometimes quicker and cheaper than review process

## Issues

### Chapter 3 1998 Act compliance

- > Section 57 been repealed for more than five years!
- > Scope for suspension in s48A
- > S48A is very onerous
- > S48A is about return to work only

## Issues

### Medical support panel

- > iCare initiative
- > In many matters, scheme agents refer to MSP and 21 day period lapses
- > MSP does not get around s279 of 1998 act
- > Suggestion: issue s74, promise to revisit and then follow through

## Issues

### Seven day responses

- > Still an issue
- > Provisional payments count in premium calculation for experience-related employers
- > WIRO reporting to SIRA

# Issues

## Seven day responses

- > Poor understanding/application ss267, 268 and SIRA guidelines by some insurers

## Issues

### Overpayment

- > Widespread in TMF
- > TMF insured agencies ask to recover
- > Limited scope to recover
- > Insurers have a role to play

## Issues

### Section 74 phobia

- > Problem across all insurers
- > Concern it will lead to litigation
- > Silence = complaints
- > Legal obligations to respond to claims



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