



BETTER REGULATION STAKEHOLDER ENGAGEMENT STRATEGY



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NSW Government Publication
Department of Finance, Services and Innovation
June 2016

Catalogue No. **SW08267**
ISBN 978 1 74341 643 3

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1. INTRODUCTION

The Better Regulation Division (BRD) is a new division of the NSW Department of Finance, Services and Innovation. Following consultation a strategy has been developed to outline our stakeholder engagement approach.

This strategy covers:

- State Insurance Regulation Authority (SIRA) and
- Worker health and safety, managed by SafeWork NSW.

Further work is underway that will cover other areas of the Better Regulation Division.

1.1 WHO WE ARE

On 1 September 2015, the regulatory and insurance functions of WorkCover NSW were assumed by three new discrete organisations:

- State Insurance Regulatory Authority (SIRA) - workers compensation, motor accidents and home building compensation regulation
- SafeWork NSW - work health and safety regulation
- icare - workers compensation insurance, and care and support of people with severe injuries.

These changes completed the separation of regulatory and insurance functions formerly managed by WorkCover, to avoid conflicts of interest.

These important reforms laid the groundwork for a new system with a focus on the injured person, not the process. We want a stronger focus on getting regulation right, preventing harms and improving workplace and road safety.

SIRA and SafeWork NSW are now within the Better Regulation Division of the NSW Department of Finance, Services Innovation.

We at Better Regulation Division (BRD) are a group of regulators with a shared purpose of enabling regulatory approaches which promote competitiveness, protection and confidence.

We want to transform our regulatory approaches by:

- increasing competitiveness of businesses across NSW
- building confidence to engage in economic activities
- protection from harm
- support of injured people.

We will do this by:

- promoting business competitiveness
- protecting the community from the risks
- giving confidence to the business community
- improving confidence with our customers by listening, responding and innovating
- mitigating risks and giving help when things do go wrong
- building credibility with modern regulatory approaches
- being customer focused.

We will take a risk-based outcomes-focused approach to our work, making sure our decisions are based on evidence and created transparently.

We want to keep getting better at what we do and how we do it - and will focus on making regulation easier for the consumer and all NSW businesses.

1.2 ABOUT SIRA

SIRA regulates workers compensation insurance and related activities, motor accidents Compulsory Third Party (CTP) insurance and home building compensation insurance.

SIRA makes sure injured people are looked after, insurance is affordable, well managed and sustainable. SIRA includes:

- Workers Compensation Regulation
- Motor Accidents Insurance Regulation
- Home Building Compensation Fund
- Dispute Resolution for Regulated Insurance.



**State Insurance
Regulatory Authority**

1.3 ABOUT SAFEWORK NSW

SafeWork NSW is the state's work health and safety regulator. It focusses on harm prevention and improving the safety culture in NSW workplaces.

SafeWork NSW offers advice on improving work health and safety, provides licencing and registration for potentially dangerous work, testing services, investigation of workplace incidents, and enforces work health and safety laws in NSW.

SafeWork NSW applies a risk-based approach to improve safety outcomes for workers- through targeted programs, and constant evaluation.

SafeWork NSW encourages unions and employer associations to take a constructive role in fostering robust work health and safety environments.

We want to create co-operative, consultative relationships between duty holders and work health and safety representatives.



SafeWork NSW

2. OUR STAKEHOLDERS

Our strategy distinguishes stakeholders affected by our policy and administration and those who play a vital role in service delivery.

We know stakeholders delivering services need to engage with government regularly, making representations which inform the decision making process and help improve service delivery.

We know agencies need to engage with:

- stakeholders in public insurance (like employer and employee representatives)
- service providers who deliver injury care, insurance, regulation and oversight of health and safety practices (like medical specialists, rehabilitation providers, legal counsel and insurers)
- peak advocacy groups – like disability and professional groups
- governments and other regulatory agencies – in NSW and across Australia
- workers and consumers – we need to be customer focused.

Our stakeholder reach covers areas like:

- regulatory reform decisions or reviews relating to workers compensation, motor accident compensation and home building compensation fund
- regulatory decisions or reviews relating to worker health and safety issues
- administrative decisions and procedures compliance and enforcement functions exercised by SIRA and SafeWork NSW
- policy changes affecting stakeholders and industries
- information sharing about identified safety risks
- public education.



3. ENGAGEMENT PRINCIPLES

Consultation with stakeholders has revealed that a number of key principles are essential to successful engagement.

These are:

- Access to enable both individual organisations and industries/sectors to engage with us on their unique issues.
- Interactive, transparent structures for engaging that are focused on outcomes and which always have a clear purpose and scope.
- Timely, clear communication about emerging issues and pending decisions to enable opportunities for feedback.
- Sharing of the outcomes from engagement, including feedback about decisions.
- Accessible and inclusive processes that enable both participation and awareness through a range of channels and methods.
- Access to information that will enable better stakeholder awareness and contributions.
- A thoughtful and efficient approach to time commitments.

3.1 OUR COMMITMENT

The Better Regulation Division is committed to engaging with stakeholders. Where we engage with you:

- We will listen, be responsive and reciprocal by:
 - aiming to engage you early in the process, to enable a meaningful contribution
 - establishing clear processes for engagement that will allow appropriate time for discussion, consideration and lead to clear outcomes.
- We encourage inclusion and respect by:
 - establishing engagement processes, allowing shared interests to be discussed
 - keeping our engagement processes relevant and purposeful – no meetings for the sake of meetings.
- We will be impartial and objective by:
 - engaging widely with stakeholders, taking account of a wide range of views
 - providing individual stakeholders with regular opportunities for direct access to and bilateral engagement with us.
- We will be open and transparent by:
 - sharing available information with you to allow understanding and better decision making.
 - reporting back on the outcomes of engagement processes and reasons for our decisions.
- We will engage in innovative ways, add value to the process and enhance participation:
 - We will take a ‘fit for purpose’, flexible approach, using whatever techniques or channels will serve good outcomes and meet the unique needs of our differing stakeholders.
 - We will focus on problem solving rather than ‘box ticking’.

4. WAYS OF ENGAGING

This section outlines the channels we consider important to support our engagement.

4.1 METHODOLOGY

It is recognised that different types of engagement are appropriate for different stakeholders. Our approach is based on the International Association for Public Participation (IAP2) Spectrum – recognised as the global standard for defining forms of engagement.

The spectrum is shown below with examples of the techniques that may be used in BRD engagement. Elements of the spectrum will be used as appropriate for the issue.

Table 4: IAP2 Engagement Spectrum

Inform	Consult	Involve	Collaborate	Empower
We will provide balanced objective, accurate and consistent information to support stakeholders to understand issues, opportunities and solutions.	We will seek feedback from stakeholders, listen to concerns and aspirations and inform you of the outcome of your feedback.	We will work directly with stakeholders to ensure their needs are directly understood and consistently considered, and provide feedback on the outcome of your contribution.	We will partner with the stakeholder, including the development of alternatives, making decisions and the identification of preferred solutions.	We will engage with stakeholders to build networks, create opportunities and empower groups to lead the development of initiatives.
What this looks like				
<ul style="list-style-type: none"> • Correspondence • Newsletters and bulletins • Fact sheets • Website • Social media eg Twitter and Facebook pages 	<ul style="list-style-type: none"> • Calls for comment • Briefings • Focus groups • Surveys • Public or industry meetings • Interactive online tools eg Bang the Table, Social Pinpoint 	<ul style="list-style-type: none"> • Workshops • Deliberative forum-style processes • Partnership agreements/ • Memoranda of understanding with timelines and review points 	<ul style="list-style-type: none"> • Committees • Roundtables • Reference groups or expert panels • Use of online collaboration tools such as Loomio 	<ul style="list-style-type: none"> • Joint planning • Provision of data • Shared projects • Sponsorships

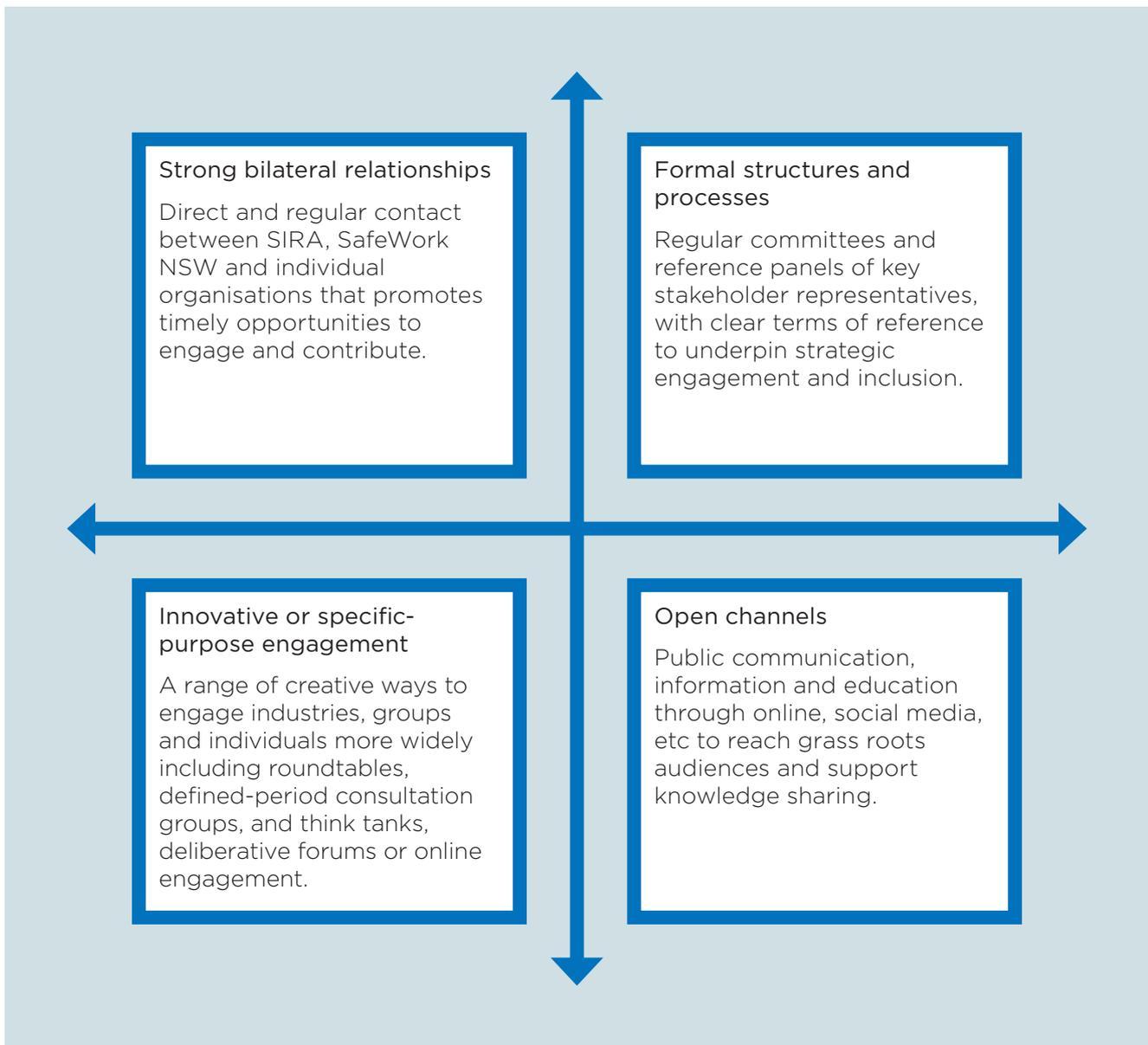
The spectrum has a flexible range of approaches and tools depending on the goals, timeframes and resources available. It recognises that different projects can require different approaches and that stakeholder needs can change over time.

Many other government departments have adopted this approach and we think this method will help us in engaging with stakeholders and meeting their needs.

5. OUR APPROACH

This section outlines our different approaches to stakeholder engagement. Figure 1 illustrates the ways we engage individually, across sectors or across policy issues. In our initial months of operation we have seen a range of techniques used to engage stakeholders and some of these are highlighted in this section.

Figure 1 - Our approach



5.1 STRONG BILATERAL RELATIONSHIPS

We know how important it is for individual stakeholder organisations to have one-on-one contact with us as regulators.

We also acknowledge that it is better for our stakeholders to have the same contact within our organisation – so there is some level of continuity. Our priority is to ensure open access to BRD to enable timely interaction.

OUR ACTIONS

- **One-to-one contact:** we establish direct contact between us and our stakeholders wherever possible.
- **Review and invest in software:** we want to be able to better track engagement, building a database based on the needs of our stakeholders.

CASE STUDY: WORKERS COMPENSATION STAKEHOLDER ENGAGEMENT STRATEGY.

In February 2016 SIRA commenced the workers compensation strategic engagement program. To initiate the strategy meetings have been held between SIRA executives and executives within the NSW Self Insurer's Association, the Workers Compensation Commission, specialised insurers (EML, StateCover, Coal Services and Racing NSW), the Nominal Insurer and SICorp, Union Affiliates, Australian Industry Group, Law Society of NSW, NSW Business Chamber. Positive feedback has been received from individual and stakeholder groups and a number of key issues have been raised to be considered for future focus.

CASE STUDY: WORKERS COMPENSATION STAKEHOLDER ENGAGEMENT STRATEGY.

Case Study: Building capacity to maintain contact with stakeholders. BRD is trialling stakeholder engagement software to better manage information related to stakeholders and relationships. Our aim is to reduce duplication of effort by building capacity to share information from multiple engagement channels in relation to stakeholder contact details and feedback.

5.2 STRUCTURES AND PROCESSES

Short term advisory groups, or formal engagement mechanisms, can play a useful role in engagement between government and stakeholders. These are groups formed for a defined period, with specified delegates and a standing agenda that allow discussion across a wide range of issues.

A number of stakeholders have told us they find these type of formal structures and processes as a helpful way of receiving information, engaging in genuine dialogue, and providing input or expertise.

They have also told us that in order for formal structures to be effective for them, engagement must have a clear goal, and conversations kept relevant and purposeful.

Better Regulation agrees formal structures and processes can help keep engagement focused and that short term committees and reference panels that meet regularly can have an important role to play when they:

- are established with clear objectives and terms of reference.
- meet a genuine need for ongoing, regular dialogue and discussion
- are outcomes focused and measure progress.
- are time limited, with time frames and review points
- have members appointed to provide expert opinion for a period to provide advice on issues that have been referred by government agencies.

Sometimes these groups can lose relevance over time unless there are genuine issues to generate valuable discussion and to ensure the process truly merits stakeholders' effort, time and expertise.

Some stakeholders have commented employers and employees would value a venue for engaging with regulators in relation to workers' compensation.

It has been suggested this could be similar to the former WorkCover NSW tripartite advisory council. We currently have tri-partite arrangements at a national level through Safework Australia which provides for broader engagement. This, combined with our preference to use a range of strategies, will create genuine deep engagement.

OUR ACTIONS

- We work with stakeholder groups to agree on the most appropriate structures and processes needed to support effective interaction
- We consider stakeholder feedback on the merits of technical or expert reference panels to advise Better Regulation.

CASE STUDY: STAKEHOLDER INPUT INTO SAFEWORK NSW WHS ROADMAP.

SafeWork NSW is developing a new six year strategy for work health and safety (WHS) – the WHS Roadmap for NSW 2022.

The purpose of the Roadmap is to enable the continued decline in fatalities and serious injuries and illness in NSW workplaces. The success of the Roadmap will be attributed to the extensive consultation and collaboration with key stakeholders. Over a six month period regional businesses, workers, peak bodies and associations worked together to design a strategy that is clear, identifies the most important risks and will enable collective commitment to the ambitious targets.

The roll out of the Roadmap over the next six years will continue to involve regional and metropolitan businesses, worker representatives, associations and professional groups who will come together to ensure NSW can achieve its vision of healthy, safe and productive workplaces.

CASE STUDY: SMALL BUSINESS STAKEHOLDER REFERENCE GROUP.

The Small Business Stakeholder reference group facilitates engagement and consultation across the small business sector on work health and safety and workers compensation. It has recently convened a workshop style forum to review the previous time limited Small Business Strategy and provide expertise and input for the development of the next strategy.

CASE STUDY: COMPULSORY THIRD PARTY TASKFORCE.

In March 2016 a cross-agency taskforce was established to consider strategies for addressing the increasing incidence of fraud and claims exaggeration in the Compulsory Third Party scheme. Representatives from regulatory bodies (including the NSW Police, Office of the Legal Services Commissioner, Health Care Complaints Commission and Fair Trading) joined the medical and legal professional bodies and CTP insurers to pool their expertise and consider options for addressing the problem. This was a successful strategy for developing a shared understanding of the issues across the sector and shared commitment of resources by the relevant bodies. A multi-pronged approach has been developed which includes an ongoing partnership with key agencies.

CASE STUDY: PARTNERSHIP AGREEMENTS.

SafeWork NSW entered into a partnership with the NSW Glass and Glazing Association three years ago following a spate of fatalities and serious injuries in the sector. The industry is one dominated by micro and small business (93%) with a significant number of stakeholders from culturally and linguistically diverse backgrounds.

The partnership sought to educate and build the capability of the sector to meet their Work Health & Safety (WHS), Workers Compensation and Injury Management (WCIM) obligations. The achievements in this time have been outstanding with many innovative products and initiatives delivered including a video safety alert (with 1000 hits), workshop programs, language specific guides and sample management systems specifically for small glass businesses.

The partnership supported the NSWGGA to implement a safety award into their annual awards. This has since been integrated into SafeWork NSW's national Safe Work Award (SWA) program. Such has been the NSWGGA effort that they were a finalist in safety leadership category of the SafeWork NSW Safety Awards. Data and field intelligence indicates a measurable increase relating to the working environment, glass handling and storage and workers compensation.

5.3 INNOVATIVE OR SPECIFIC-PURPOSE ENGAGEMENT

An alternative to both formal committees with standing agendas is specific-purpose engagement where stakeholders work together on projects - providing advice to agencies.

Many stakeholders said they would prefer to be engaged on a more intensive basis.

We agree that a flexible engagement system is best practice for us and our stakeholders, and there are a range of models which we have supported including the disability think tank, and CTP taxi Roundtable.

These processes can vary from quick, focused and highly interactive sessions through to complex and wide-ranging activities. By using technology many of these techniques encourage wider participation by removing barriers like availability and distance.

OUR ACTIONS

- We engage our stakeholders to develop innovative and specific-purpose strategies that leverage stakeholders' expertise. These may include deliberative forums, think tanks, round tables and other focused, bespoke engagement methods that are efficient and relevant.

CASE STUDY: TAXI ROUNDTABLE.

An innovative Taxi roundtable was hosted by SIRA in October 2016 to look at ways to:

- reduce taxi accidents particularly those involving taxis and pedestrians
- industry costs which result in CTP Green Slips for Taxis being higher than for ordinary passenger cars.

The Taxi roundtable brought together representatives from SIRA and SafeWork NSW and industry stakeholders to help identify initiatives that can reduce taxi accidents. The Taxi Council, City of Sydney Council, the Pedestrian Council, the NSW Centre for Road Safety, CTP insurers, NSW Police Force and Australian Hotels Association were among the participants who committed to working together to reduce the incidence of taxi accidents, especially those involving pedestrians.

CASE STUDY: COMPULSORY THIRD PARTY POINT-TO-POINT ROUNDTABLE.

Following the legalisation in NSW of ride-share organisations such as Uber, concerns were raised by the taxi industry about inequities in CTP (Green Slip) pricing, with taxis being required to pay significantly more than the other point-to-point transport operators. A discussion paper outlining various options to address the problem was circulated by SIRA and discussed in detail in at a roundtable of interested stakeholders in late April 2016. The commitment of these competing groups to find an equitable solution and innovative solution has been impressive. Additionally, excellent working relationships have been established between operators and the CTP regulator that will facilitate ongoing monitoring in future.

PROPOSAL: INJURED WORKERS PANEL AND RESEARCH.

To improve our understanding of individual injured workers we are examining new outreach techniques. An Injured Workers feedback panel – made up of an independent chair and around 10 injured workers will be created.

The primary role of the panel will be to provide SIRA and SafeWork NSW with a sounding board when making decisions about scheme processes, communication and other issues affecting injured workers.

Representatives would be selected randomly on the basis of the following criteria and approached to assess their interest in participating: members from regional and rural NSW; workers from a number of different industries; mix of union-represented, and non union-represented workers, workers with shorter term, and longer term injuries with varying severity.

Panel membership would be reviewed every 12 months to ensure the group is refreshed regularly and includes people with current experience of the system. Membership will be limited to two years maximum. A modest stipend would be paid to cover travel costs.

As an adjunct to the Injured Workers Feedback Panel, we are looking at introducing an annual worker research survey which panel members can co-design. The data collected from these audits would be owned and managed by SIRA, with findings shared with our stakeholders.

5.4 OPEN CHANNELS

Open channels of general communication are valued by our stakeholders. They can play an important role in promoting discussion and awareness of worker health and safety issues. SafeWork NSW maintains online channels that provide information about occupational safety to a wide audience, including Twitter and Facebook, to supplement its website.

We are committed to exploring online platforms to improve direct engagement with stakeholders.

OUR ACTIONS

- We resource effective outreach to the community and particularly employers, employees and NGOs via online and social media channels.
- We publish data to facilitate information sharing, consultation, feedback and system improvements.

CASE STUDY: DISABILITY INDUSTRY THINK TANK.

BRD facilitated a Disability Industry think tank on 30 November 2015 that brought together 12 key influencers from the disability sector to gain insights to inform policy and practice for SIRA and the broader BRD. The disability sector is a significant stakeholder group given SIRA's focus on support for injured workers and motorists. Social media was promoted to accompany the think tank event and this broadened communication channels.

BRD may be able to influence a number of the key themes related to work, health and safety and workers compensation that came from the workshop due to strong relationships with employers and other areas of DFSI and government.

CASE STUDY: SOCIAL MEDIA STRATEGY.

In 2014/15 we developed a strategic approach to our social media activity. Undertaking deep research of what our customers are talking about and on which platforms, we articulated a channel, content and style strategy whose implementation led to an immediate and sustained increase in online engagement and reach. One year on, that foundation strategy still informs our social media ecosystem and tactics yet – along with the platforms themselves – we continue to evolve and experiment in how to stay relevant and succeed in this exciting space.

CASE STUDY: COMPULSORY THIRD PARTY SOCIAL RESEARCH.

In order to understand the views of road users and people who have been injured on the roads, SIRA undertook social research as part of CTP reform consultation. Focus groups provided a forum for understanding public perceptions of current issues, and on-line and telephone surveys enabled use of choice modelling techniques to understand preferences for change. Approximately 1400 members of the public were directly engaged. This research provided us with valuable insight into our key stakeholder's view that the Green Slip scheme needed to change, and prioritised the objectives to be addressed through reform. This built on previous online surveys which measured the experience of injured people within the scheme

6. SUCCESS MEASURES

We will evaluate our performance with a view to continually improve what we do and how we do it, and we will maintain a strong focus on the customer experience (BRD Plan 2016/17).

The measures of our success will include:

- stakeholder feedback via our consultations, online surveys webinars and social media
- one-on-one interactions with stakeholders
- annual customer satisfaction surveys
- improved complaint resolution
- satisfaction with website accessibility.



