SERVICE & PURCHASE AGREEMENT 2012-15

BETWEEN

THE MINISTER FOR ACC

AND

THE ACCIDENT COMPENSATION CORPORATION

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THE ACCIDENT COMPENSATION CORPORATION

HON JUDITH COLLINS

MINISTER FOR ACC

DATED 20 JUNE 2012

JOHN JUDGE

ACC BOARD CHAIR

DATED 15 JUNE 2012

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BACKGROUND

This Service Agreement ("this Agreement") is between the Minister for ACC ("the Minister") and the Accident Compensation Corporation ("the Corporation" or "ACC").

This Agreement outlines the quality and quantity of services to be provided by the Corporation for the period 2012-2015 and meets the requirements under section 271 of the Accident Compensation Act 2001. This Agreement also constitutes an Output Agreement for the purposes of section 170 of the Crown Entities Act 2004.

This Agreement sets out:

- the Government's key priorities for the ACC portfolio;
- the outcomes ACC will seek to achieve in order to support the Government's key priorities;
- the broad classes of outputs ACC is responsible for delivering, and the scope and cost of services to be delivered under those output classes; and
- the measures against which ACC's performance will be assessed in delivering those services, and targets which it will be accountable for meeting.

ACC is responsible for reporting its performance against the measures and targets set out in this Agreement and against Key Performance Indicators (KPIs) specified in their Statement of Intent.

In the event that a key performance target is not met ACC will, as necessary, provide the Ministry of Business, Innovation and Employment (the Ministry) with additional and detailed reporting. This reporting will identify and explain the reasons for this variance and detail ACC's response. This exception reporting will include more detailed breakdowns of expenditure on specific outputs as required.

SCOPE

This Agreement outlines:

- the quality and quantity of services to be provided by ACC;
- the expected cost of delivering those services;
- the performance measures, targets, and related information necessary for the Minister to assess the performance of the Corporation; and
- the nature and frequency of reporting requirements against this Agreement.

This Agreement is aligned with and supports:

- the Minister's priorities as set out in the 2012-2013 Letter of Expectations attached as Appendix 1;
- the outputs the Minister for ACC has agreed to purchase from ACC to fund the Non-Earners' Account, and the associated service delivery targets - attached as Appendix 2; and
- the Corporation's Statement of Intent 2012-2015.

ROLES AND RESPONSIBILITIES

The Minister for ACC is the Minister responsible for both the Accident Compensation Scheme (the Scheme) and the Corporation. The Minister's roles and responsibilities in relation to the Corporation are to:

- make sure an effective board is in place to govern the Corporation;
- participate in setting the direction of the Corporation;
- monitor and review the Corporation's performance and results; and
- manage risks on behalf of the Crown.

The Minister exercises this responsibility through their relationship with the ACC Board (the Board) and, in particular, the Board Chair. This Agreement supports that relationship.

The Board is accountable to the Minister for the delivery of the services specified in this Agreement, to the quality and cost specified. ACC remains accountable for the delivery of all outputs including outputs that have been sub-contracted to a third party.

PARTIES

This Agreement is between the Minister and ACC. This Agreement is an Output Agreement for the purposes of section 170 of the Crown Entities Act 2004.

Under section 25 of the Crown Entities Act 2004 the Board is responsible for all decisions relating to the operation of the Corporation. Under section 49 of that Act the Board also has a statutory duty to ensure that the Corporation acts in a manner consistent with this Agreement.

TERM

This Agreement relates to a three-year period from 1 July 2012 to 30 June 2015 in that it reflects the three-year span of ACC's *Statement of Intent 2012-2015*. The Agreement will be entered into on an annual basis, pursuant to section 271 of the Accident Compensation Act 2001. This Agreement revokes the Service Agreement for the period 1 July 2011 to 30 June 2014.

REPORTING APPROACH

ACC will provide quarterly reports on the Corporation's performance against this Agreement. The quarterly reports will include reporting against KPIs and matters in the Statement of Intent.

Quarterly reports are to be read in conjunction with this Agreement and the reports of any preceding quarters to provide a context for the reporting of ACC's ongoing performance for the financial year 2012-2013.

Each quarterly report will include:

- commentary on ACC's performance against the performance targets, and progress in implementing key initiatives;
- where necessary, an explanation of performance trends, analysis, and proposed actions to improve performance for the coming quarter(s);
- financial performance and commentary;
- reporting on performance against the agreed output measures and standards for the delivery of services funded by Parliamentary Appropriation (Non-Earners' Account and Non-Earners' portion of the Treatment Injury Account); and
- an analysis of risks, critical issues, and opportunities arising from performance to date.

Where performance does not meet targets, ACC will provide further information that may include:

- analysis of any causes;
- strategies and plans to improve performance and meet the specified targets; and
- forecast performance for the remainder of the financial year, including an assessment of whether and when the performance target (s) will be met within the financial year.

As necessary, the Corporation will provide the Minister with:

- any proposals to amend this Agreement, due to changed circumstances;
- timely advice of any risks that may create a significant financial exposure to the Crown;
- an annual technical report supporting the Corporation's proposal for funding of the Non-Earners' Account for the following and four subsequent financial years; and
- an update of progress against the Minister's Letter of Expectations.

TIMEFRAMES FOR THE QUARTERLY REPORT

The timeframes for quarterly reporting are shown in the table below.

Quarterly Performance reports	Timeframe
Quarter 1 Report	By 16 November 2012
Quarter 2 Report	By 15 February 2013
Quarter 3 Report	By 17 May 2013
Quarter 4 Report	By 16 August 2013

AMENDMENTS TO THIS AGREEMENT

This Agreement may be amended with the consent of the Minister and the Board if at any time during its term the work or environment of ACC is materially altered and the contents of this Agreement are no longer appropriate.

Any changes must be signed by the Minister and the Board Chair, and attached to this Agreement. Both parties will hold copies of the original and any amendments to this Agreement.

PAYMENT

The Minister, on behalf of the Crown, will pay the Corporation up to the amount authorised by Parliamentary Appropriations for 2012-2013 (Appendix 2). The Ministry (acting as the administering agency responsible for Vote: ACC) will action payments to the Corporation in accordance with the Public Finance Act 1989 and the funding schedule enclosed within this Agreement (Appendix 3).

Payments will be made monthly by direct credit from the Ministry to ACC coinciding with the Ministry's receipt of funding from the Treasury.

INTERPRETATION

The schedules to this Agreement form part of this Agreement, as do any amendments to those schedules signed by the Minister and the Board. The parties agree to discuss and seek to resolve any differences of opinion between them under the Agreement, or any matter not covered by this Agreement relating to the supply of outputs.

PART 1: GOVERNMENT'S KEY PRIORITIES

The first part of this Agreement reflects Government priorities for the ACC portfolio that have been communicated to the Board. These are:

- improved trust and confidence;
- improved management and security of private information;
- maintaining a focus on levy stability and financial sustainability;
- · providing high quality services for clients;
- · ensuring early resolution of disputes; and
- reporting on the performance of the Accredited Employer Programme.

These matters sit alongside the continuing priorities for ACC of improving rehabilitation performance, investment in injury prevention, containing costs and achieving the 2019 solvency target for the levy-funded Accounts

The tables below provide background information about these priorities and show how performance will be measured. The performance measures shown in this section are the Board's accountability measures to the Minister.

ACC's KPIs for 2012-2013 are shown alongside the Government's priorities.

Priority 1: Improved Trust and Confidence

Background

The Corporation is fully committed to rebuilding a high level of public trust and confidence in ACC as a public institution, supported by appropriate standards, processes and practices, with appropriate means of ensuring ongoing awareness and compliance in all operations across the Corporation.

ACC contributes to a state sector trust and confidence poll which assesses perceptions of a number of state sector organisations amongst the general public. The poll is conducted on a quarterly basis.

The trust and confidence measure uses the Research New Zealand Public Sector Trust and Confidence poll which is endorsed by the Better Public Services work stream. This measure will provide a benchmark of the public's trust and confidence in ACC relative to other state sector organisations.

Key initiatives, measures and targets

ACC will seek to learn from its public sector partners as part of the Better Public Services initiatives to improve trust and confidence.

This will involve direct interaction and engagement with key public sector agencies that are regarded with high trust and confidence by the public. ACC will seek ideas, initiatives and assistance from these agencies to improve its trust and confidence. As a first step, ACC will engage with the New Zealand Police and Inland Revenue Department being public sector agencies in which the public has high trust and confidence.

By 30 September 2012 ACC will have in place clear and concise initiatives and projects to improve trust and confidence and the public's perception of the Corporation. ACC will engage with the Minister as these initiatives are developed and once developed will provide the final initiatives to the Minister.

- The agreed initiatives will be measured by an improvement in ACC's trust and confidence result as measured by the Research New Zealand Trust and Confidence quarterly survey.
- From its first quarterly report, ACC will report on initiatives developed following consultation with other public sector agencies.
- From the second quarterly report, ACC will report on progress towards implementation of the initiatives to build trust and confidence.

ACC will invest in ensuring quality leadership of the Corporation through increasing management capability and training. This investment will aim to facilitate a real culture change within ACC resulting in

better management of relationships with the Corporation's clients and customers.

• Quality leadership will be measured by an increase in the number of managers who participate in management and leadership training modules.

ACC will embed the Code of Conduct for the State Services – *Standards for Integrity and Conduct* – into its day to day operations. ACC's commitment to and expectation of adherence to the Code of Conduct will be strongly communicated across the Corporation. Training material will be delivered to all staff and will be made accessible on both the internal and external ACC website. This will be measured by:

- 100% of staff and management complete the updated Code of Conduct training; and
- 100% of staff and management are assessed to have complied with the Code of Conduct as part of their annual performance review.

Alongside the Corporation's internal commitment to the Code of Conduct, ACC will deliver and communicate a clear vision of commitment which all of New Zealand can engage with.

• The communication and delivery of this vision will be measured by ensuring the highest level of public accessibility to the Code of Conduct and information about ACC's commitment to it through all branch offices and ACC's external website.

Priority 2: Improved management and security of private information

Background

A substantial and material privacy breach was identified in March 2012. The ACC Board instigated an immediate response to better manage privacy in the short term and clearly expressed a commitment to zero privacy and information security breaches.

Along with the Office of the Privacy Commissioner, the Board also commissioned an independent review of ACC's information security policies and practices.

The independent review will provide recommendations for the steps it sees necessary to strengthen ACC's policies and practices.

ACC will report on a number of measures that show its commitment to zero privacy breaches and improving the management and security of private information.

Key initiatives, measures and targets

At the highest level three key initiatives for this priority area are clear. ACC needs to implement and act upon the recommendations of the reviews currently underway. This will be measured by:

All recommendations from the reviews implemented and/or acted on within agreed timeframes

 – 100%

As part of rebuilding the public's trust and confidence in ACC's ability to manage private and sensitive information, the Corporation needs to demonstrate an improvement in the management of information and adherence to the zero privacy breach expectation set by the Board. Evidence of improvement in ACC's performance will be shown by the following measures:

- Annual reporting of the number of privacy breaches upheld by the Office of the Privacy Commissioner – this reporting will indicate a reduction from the 2011 baseline; and
- ACC will report the number of all breaches identified within each quarter, including those
 investigated by the Office of the Privacy Commissioner. ACC will examine all instances of
 privacy breaches and document lessons for the Corporation, including any follow up action
 necessary to strengthen internal systems and processes.

Action is already underway to improve organisational understanding and awareness of the potential for privacy breaches. Internal performance will be measured by:

- Privacy training and refresher courses completed by all staff ACC will report the annual percentage of staff who have undertaken refresher training; and
- Privacy champions deployed throughout the Corporation this measure will provide the number
 of staff currently identified as privacy champions within ACC. Privacy champions act within the
 Corporation to relay privacy information and advice to all staff and also provide a critical link or
 contact for issue identification and escalation.

Information systems are critical to managing personal and sensitive information. As such ACC needs to ensure there are appropriate checks in place and conduct audits on how its systems manage information.

- ACC will report the outcome of audits on key systems that contain client information; and
- By the end of September 2012 ACC will have developed a measure that demonstrates the
 overall quality of the Corporation's management of private information. ACC will report this
 measure from the second quarterly report onwards.

Priority 3: Maintain a focus on levy stability and financial sustainability

Background

Progress towards financial sustainability is best shown by Scheme solvency, which is measured as the ratio of net assets to the outstanding claims liability in each of ACC's five accounts. Solvency provides an indication of funding adequacy. Each Account is funded separately and has its own full funding target. The Board has set Account plans for meeting each target. Ministers have commissioned a review the Scheme's funding policy. Decisions on the funding review are expected to be made in 2012, and may have a bearing on future solvency targets.

The Work, Earners' and Motor Vehicle Accounts are required to be fully funded by 2019. This goal needs to be achieved while maintaining stability across levy rates.

Key initiatives, measures and targets

ACC's performance measures relating to this priority are included under outcome 2 in the *Statement of Intent 2012-2015* and are set out on page 16 of this document. Collectively, the measures reflect the ACC's continued focus on levy stability and financial sustainability.

These measures also continue to track ACC's progress towards the 2019 solvency target.

Priority 4: Providing high quality services to clients

Background

ACC should ensure that it provides high quality services to clients based on: clearly stated standards, a demonstrable commitment to meeting client needs, performance targets measuring responsiveness and delivery, and evaluation.

One of ACC's strategic outcomes is to rehabilitate injured people in New Zealand more effectively. Underlying this outcome are two strategic objectives which are supported by a number of initiatives that will result in the provision of higher quality services to clients. These are described in ACC's *Statement of Intent 2012-2015*.

Key initiatives, measures and targets

The measures relating to this priority are included under outcome 1 in the *Statement of Intent 2012-2015* and are set out on page 15 of this document. Collectively, the measures reflect the provision of high quality services to clients.

Alongside the existing performance measures, ACC is establishing specific standards to further ensure clients receive high quality services.

- Decision timeliness ACC will make all cover decisions within the legislative timeframes.
 - General cover decision timeliness ACC will report the average number of days taken to make a cover decision for all claims. Specific targets are included below:
 - Non-complicated claims a decision on cover is made, or an extension advised, within 21 days of a non-complicated claim being lodged; and
 - Complicated claims (i.e. Gradual Process and Sensitive Claims) a decision on cover is made, or an extension advised, within two months of a claim being lodged. A decision must be made within nine months or the claim will be deemed accepted.

ACC must also meet the requirements of all privacy and official information act requests. In the provision of information to our clients, ACC will meet the following standards:

• 100% of information requests responded to within the statutory time frames - ACC generally receives requests for information under the Privacy Act 1993 and the Official Information Act 1987. These two pieces of legislation set out clear timeframes and procedures for managing information requests. Under both the Privacy Act and the OIA, a request for information must be responded to within 20 working days of receiving it. However under both pieces of legislation, ACC can extend the response timeframe provided this extension is requested within the original 20 day period.

Communication with clients is critical, and ACC will continue to deliver key information with all cover decisions. This information includes rights and review processes and key contacts. This will be measured by:

• 100% of cover decision letters accompanied by key information including a summary of the ACC Code of Claimants' Rights, mediation processes and how to contact ACC.

The delivery of high quality services is dependent on the ACC staff thus the continuing improvement in staff capability and capacity is a critical work stream for the Corporation. The following measures will outline the improvement in staff capability and capacity in the coming year:

- The percentage of claims managers rated as achieving (or better) against Contact Quality Monitoring (CQM) standards - ACC uses CQM to monitor the quality of case owner interactions with clients and other external people linked to an ACC claim i.e. phone communication; and
- The percentage of case managers rated as achieving (or better) against quality Claims Management Standards (CMS) ACC uses CMS to monitor the quality of its case management i.e. review of case files.

Priority 5: Ensuring early resolution of disputes

Background

ACC should aim to minimise the number of disputes proceeding to review and litigation through effective and non-adversarial engagement with clients.

Currently ACC measures the percentage of reviews lodged with Disputes Resolution Services Limited (DRSL) that are settled, withdrawn or found in ACC's favour. As the measure includes data on reviews that are withdrawn or settled prior to a formal review hearing, it can help the Corporation assess the effectiveness of its engagement with clients when disputes arise.

Key initiatives, measures and targets

ACC is working to improve the dispute resolution process; this improvement will be informed by an external assessment of current processes. The measures that will demonstrate the desired improvement in ACC's results are outlined below:

- Percentage of all reviews found in ACC's favour, including reviews that have been settled or withdrawn – 78.5%.
- Number of new review applications lodged with DRSL, for:
 - · Serious Injury;
 - Recover Independence Service;
 - · Elective Surgery; and
 - Other review applications.
- Number of disputes settled through mediation.
- Average length of time from filing dispute to resolution with DRSL.
- Outcome of reviews completed in the quarter, including the outcomes for reviews completed by DRSL, for:
 - Recover Independence Service;
 - · Elective Surgery; and
 - Other.
- A measure is currently under development to report the number of review applications that are lodged that are settled or withdrawn prior to going to formal review. This will be reported on in the third quarterly report.

Priority 6: Reporting on performance of the Accredited Employer Programme

Background

The Accident Compensation Act 2001 allows ACC to enter into an accreditation agreement with employers for managing work-related claims relating to their employees.

To become accredited, employers must:

- have robust policies, procedures and resources for injury prevention, claims management and rehabilitation;
- have systems and processes in place to make sure injured employees can access their legal entitlements;
- show that they are able to meet their expected ongoing financial obligations;
- show senior management commitment to the ACC Accredited Employer Programme; and
- meet all ACC Accredited Employer Programme audit standards.

An applicant employer will be assessed by an independent auditor to identify whether they meet one of the following three accreditation levels:

- Primary programme entry level requirements
- · Secondary consolidation of practice
- Tertiary continuous improvement, best practice framework.

ACC's Accredited Employer Programme gives employers discounts on their ACC levies, in exchange for taking responsibility for their employees' work-related injury claims. Tertiary level accreditation offers the greatest discount on levies for the employer.

Key initiatives, measures and targets

- Report the split of employers in the Accredited Employer Programme:
 - Total number in Accredited Employer Programme, including numbers of employers joining and leaving the Programme in the period;
 - Number of employers at the primary level;
 - Number of employers at the secondary level; and
 - o Number of employers at the tertiary level.
- ACC will report on the number of injury management and health and safety audits carried out each year.
- ACC will provide a report comparing claims data between employers in the Accredited Employer Programme and employers not in the Accredited Employer Programme each year.

PART 2: ACC'S OUTCOMES

This part of the Agreement sets the outcomes and the performance measures as outlined in ACC's *Statement of Intent 2012-2015.* These are the KPIs that will populate the quarterly reports.

Outcome 1: Rehabilitate injured people in New Zealand more effectively

Background

Effective rehabilitation is in the best interests of ACC clients as well as the New Zealand economy as a whole. In order to rehabilitate injured people in New Zealand more effectively, ACC is focusing on two strategic objectives. These are:

- Delivering quality results for injured people developing capability to deliver the highest quality rehabilitation outcomes by ensuring 'every day counts' for the injured and reviewing its core claims management processes from a customer-centric perspective. This will lead to continued improvements in return-to-work rates and more effective rehabilitation of injured people
- 2. Strengthening engagement with the health sector to improve client outcomes this will enable ACC to access the most appropriate services for clients, therefore delivering the right service, at the right time, for the right cost.

The combination of these two objectives will help to ensure that treatment, rehabilitation and compensation entitlements are delivered fairly and transparently to all New Zealanders within the letter and spirit of the Act. The achievement of this outcome will result in better quality rehabilitation outcomes for ACC clients and will actively contribute to the Scheme's sustainability.

The measures described in the table on the following page underlie the strategic objectives that demonstrate ACC's contribution to the delivery of outcome 1. They balance the need to provide the best possible client service with ACC's responsibilities for cost and liability management.

Performance measures

Manager	Targets		
Measure Measure	2012-13	2013-14	2014-15
Client satisfaction Improvement in the percentage of clients satisfied with ACC's service experience from the 2011-12 actual result.	+2.0%	+3.0%	+4.0%
NSIS client goals attainment Increase in the percentage of NSIS client goals attained as achieved or exceeded.	69%	71%	73%
Supporting the rehabilitation of long-term clients Maintain a strong focus on the rehabilitation of long-term clients by monitoring the net number returned to independence.	200	89	50
Improved return to work/independence performance Reduction in the average duration of weekly compensation days paid in the first 365 days.	86.0 days	85.5 days	85.0 days
Durable return to work indicator ACC's durable return to work rate to be above the Australian average.	Above Australian rate	Above Australian rate	Above Australian rate
Provider engagement Improvement in provider engagement from the 2011-12 baseline as measured by survey.	+1.0%	+3.0%	+5.0%
Quality treatment outcomes A decrease in poor quality treatment outcomes over time, assessed by an index comprising factors contributing to poor quality outcomes that is weighted to 100.	100.0	98.0	96.0
Management of healthcare expenditure Annual savings targets for health procurement (below PricewaterhouseCoopers forecast) without compromising on quality client outcomes.	\$347m	\$444m	\$561m

Outcome 2: Delivering levy stability by achieving long-term financial sustainability Background

The long-term self-sustainability of the Scheme is achievable through a number of factors working together. These include:

- reaching full funding through appropriate levy setting and achieving benchmark investment returns; and
- effectively managing ACC's liability through better rehabilitation, their associated costs and ACC's operating costs.

To deliver this outcome, ACC will focus on the strategic objective of 'developing world-class operating performance'. By using world best practice as the standard for operational performance, ACC will be able to keep levies stable and provide effective rehabilitation and care for injured people now and into the future, thereby ensuring the long-term financial sustainability of the Scheme.

Performance measures

The measures listed in the table below show the overall impact of ACC's performance on its financial sustainability.

Targets Targets					
Measure	2012-13	2013-14	2014-15		
Improve ACC's solvency position A measure of the assets available to each Account as a percentage of that Account's claims liability.					
ACC parent	82.6%	88.1%	93.4%		
Work Account	106.8%	113.7%	120.8%		
Earners' Account	108.7%	111.7%	114.8%		
Motor Vehicle Account	or Vehicle Account 80.1% 89.0%		97.7%		
Non-Earners' Account	43.7%	46.0%	47.9%		
Treatment Injury Account	65.5%	70.8%	75.6%		
Increase returns from insurance opera	tions to reach full fu	nding			
A measure of ACC's performance toward expected change in the outstanding clain	• •	ating income less exp	enditure plus the		
Total Scheme	\$1,362m	\$1,412m	\$1,476m		
Increase returns from investments					
A measure of ACC's investment performance by comparing ACC's performance with the industry standard. This is measured as a percentage above blended market average benchmark.					
Investment returns against benchmark 0.5% 0.5% 0.5%					

Outcome 3: Reduce the incidence and severity of injury where it is cost effective to do so

Background

ACC has a mandate to reduce the incidence and severity of injury in New Zealand, with a special interest as the insurer that provides cover for injuries. As a result, injury prevention is recognised as part of ACC's core business.

In 2012, ACC will be completing a review of its current injury prevention strategy and developing a robust evidenced-based strategy for injury prevention that will lead to new, cost-effective interventions to help reduce the incidence of injuries and create incentives for safer behaviour in high risk areas.

The review of the Corporation's current injury prevention strategy is expected to be completed in the first quarter of 2012-2013. ACC will provide the Minister with quarterly updates on the findings of the review and subsequent progress towards developing and implementing the revised strategy.

ACC also leads the whole-of-government New Zealand Injury Prevention Strategy, which seeks to reduce New Zealand's burden of injury in six priority areas: road, workplace, assault, drowning, falls, and suicide and deliberate self-harm.

At the highest level, ACC is targeting three key focus areas which have the greatest impact on the Scheme: work, road, and falls. The measures described below allow ACC to track progress in these areas

Performance measures

	Target			
Measure	2012-13	2013-14	2014-15	
Work – Claim reductions among employers participating in injury reduction programmes in comparison with peer groups of employers.	A 5% per annum greater claim reduction than the average of their peer groups			
Road – Return on investment young driver programme.	1:1 1.5:1		2:1	
Five falls pilot programmes to be rolled out nationwide once the evaluation of the 'Idea Nation' information is completed. The winning ideas will form the five pilot programmes.	Five pilot programmes for reducing falls in the working-age population delivered	1:1 return on investment (break even)	1.5:1 return on investment	

PART 3: SERVICES AND STANDARDS TO BE REPORTED BY ACC

This section outlines the measures that will populate the quarterly reports to the Minister.

These measures do not include all the output services as detailed in the *Statement of Intent 2012-2015*. However, the full schedule of output services will be reported against in the Statement of Service Performance in ACC's 2013 Annual Report.

The table below sets out the measures that will be reported against in the quarterly report and provides information on each measure. Targets for the 2012-2013 financial year are included for those measures that do not form part of the *Statement of Intent 2012-2015*.

Measure number	Description	Note					
Priorit	Priority 1: Improve Trust and Confidence						
1	Trust and confidence measure – the initial target will be to improve from ACC's 2011-2012 position as measured by the Research New Zealand Trust and Confidence measure.	 Quarterly measure. In the first quarterly report ACC will report on the work streams developed with the assistance of other public sector agencies. From the second quarterly report, ACC will report on the progress of implementation of the agreed initiatives to build trust and confidence. 					
2	Quality leadership - an increase in the number of managers who participate in management and leadership training modules.	Annual measure – it will be included in the quarterly report when available.					
3	100% of staff and management complete the updated Code of Conduct training. 100% of staff and management are assessed as having complied with the Code of Conduct as part of their annual performance review. The Code and information about ACC's commitment to the Code will be readily accessible to the public through all branch offices and on ACC's external website.	Annual measure. Updates on progress will be included in the quarterly report.					
Priori	ty 2: Improved management and security of private inf	ormation					
4	Review recommendations - All recommendations from the reviews implemented and/or acted on within agreed timeframes – 100%.	 Annual measure – it will be included in the quarterly report when available. Updates on progress will be included in the quarterly report. 					

Measure number	Description	Note
5	Zero privacy breaches — annual reporting of the number of privacy breaches upheld by the Office of the Privacy Commissioner — This reporting should indicate a reduction from the 2011 baseline. quarterly reporting of the number of all privacy breaches identified within each quarter.	 Annual and quarterly measure – it will be included in the quarterly report when available. Updates on progress will be included in the quarterly report.
6	Staff privacy training Staff privacy training and refresher courses completed by all staff – ACC will report the annual percentage of staff who have undertaken refresher training.	 Annual measure – it will be included in the quarterly report when available. Updates on progress will be included in quarterly report.
7	Number of Privacy champions deployed throughout the Corporation – this measure will provide the number of staff currently identified as privacy champions within ACC. Privacy champions are responsible for disseminating privacy related information, recording near misses and providing local support for improved practices.	Quarterly measure.
8	Information security – ACC will conduct annual audits on its key systems containing client information and report on the outcomes of the audits.	Annual measure. By the end of September 2012 ACC will have developed a measure that demonstrates the overall quality of ACC's management of private information. ACC will report this measure from the second quarterly report onwards.
Priorit	y 3: Maintaining a focus on levy stability and financial	sustainability
9	Improve ACC's solvency position A measure of the assets available to each Account as a percentage of that Account's claims liability.	Quarterly measure.
10	Increase returns from insurance operations to reach full funding A measure of ACC's performance towards full funding by calculating income less expenditure plus the expected change in the outstanding claims liability.	Quarterly measure.
11	Increase returns from investments A measure of ACC's investment performance by comparing ACC's performance with the industry standard. This is measured as a percentage above blended market average benchmark.	Quarterly measure.

Measure number	Description	Note
12	Total expenditure on claims paid Non-fatal weekly compensation (includes weekly compensation payments made to injured workers) For medical treatment costs For hospital treatment For social rehabilitation.	Quarterly measure.
13	Levy payer customer satisfaction Improvement in the percentage of customers who have experienced ACC's service and are satisfied, as measured by the Common Measurement Tool.	Quarterly measure.
Priorit	y 4: Providing high quality services to clients	
14	Client satisfaction Improvement in the percentage of clients satisfied with ACC's service experience from the 2011-12 actual result.	Quarterly measure
15	NSIS client goals attainment Increase in the percentage of NSIS client goals attained as achieved or exceeded.	Annual measure – it will be included in the quarterly report when available.
16	Supporting the rehabilitation of long-term clients Maintain a strong focus on the rehabilitation of long- term clients by monitoring the net number returned to independence.	Quarterly measure
17	Improved return to work/independence performance Reduction in the average duration of weekly compensation days paid in the first 365 days.	Quarterly measure
18	70-day rehabilitation rate The percentage of clients receiving weekly compensation entitlements who have been rehabilitated within 70 days.	Quarterly measure – to support the higher level measure
19	273-day rehabilitation rate The percentage of clients receiving weekly compensation entitlements who have been rehabilitated within 273 days.	Quarterly measure – to support the higher level measure
20	Durable return to work indicator ACC's durable return to work rate to be above the Australian average.	Annual measure – to support the higher level measure
21	Provider engagement Improvement in provider engagement from the 2011-12 baseline as measured by survey.	Annual measure – it will be included in the quarterly report when available.
22	Quality treatment outcomes A decrease in poor quality treatment outcomes over time, assessed by an index comprising factors contributing to poor quality outcomes that is weighted to 100.	Quarterly measure

Measure number	Description	Note
23	Management of healthcare expenditure Annual savings targets for health procurement (below PricewaterhouseCoopers forecast) without compromising on quality client outcomes.	Quarterly measure
24	 Compromising on quality client outcomes. Decision timeliness – ACC will make all cover decisions within the legislative timeframes. General cover decision timeliness – average number of days taken to make a cover decision for all claims. Non-complicated claims - a decision on cover is made, or an extension advised, within 21 days of a non-complicated claim being lodged. Complicated claims (i.e. Gradual Process and Sensitive Claims) – a decision on cover is made, or an extension advised, within two months of a claim being lodged. A decision must be made within nine months or the claim 	Quarterly measure
25	will be deemed accepted. Information requests – timeliness of response - 100% of information requests responded to within the statutory time frames.	Quarterly measure
26	Client communication - 100% of cover decisions accompanied by key information including a summary of the ACC Code of Claimants' Rights, mediation processes and how to contact ACC.	Quarterly measure
27	The percentage of claims managers rated as achieving (or better) against Contact Quality Monitoring (CQM) standards. The percentage of case managers rated as achieving (or better) against quality Claims Management Standards (CMS).	Quarterly measure
Priorit	y 5: Ensuring early resolution of disputes	
28	Percentage of reviews found in ACC's favour, including reviews that have been settled or withdrawn.	Quarterly measure
29	Number of reviews Quarterly reporting of the number of new review applications lodged with DRSL.	Quarterly measure
30	Number of disputes settled through mediation	Quarterly measure
31	Average length of time from filing dispute to resolution with DRSL	Quarterly measure
32	Review outcomes Quarterly reporting of the outcome of all reviews.	Quarterly measure

Measure number	Description	Note
33	Improved resolution of disputes A measure is currently under development to report the number of review applications that are lodged that are settled or withdrawn prior to going to formal review.	This will be reported on going forward from the third quarterly report.
Priorit	y 6: Reporting on performance of the Accredited Emplo	oyer Programme
34	Reporting of the split of employers in the Accredited Employer Programme – this will include the	Quarterly Measure
	 Total number in Accredited Employer Programme, including the number of employers joining and leaving the Programme in the period 	
	 Number of employers at the primary level 	
	Number of employers at the secondary level	
	Number of employers at the tertiary level.	
35	Reporting of the number of audits carried out by ACC - This will capture the number of injury management and health and safety audits carried out each year.	Annual Measure
36	Claims data comparison - ACC will provide a report comparing claims data between employers in the Accredited Employer Programme and employers not in the Accredited Employer Programme each year.	Annual measure
Injury	Prevention	
37	Work – Claim reductions among employers participating in injury reduction programmes in comparison with peer groups of employers.	Annual measure
38	Road – Return on investment for the young driver programme.	Quarterly measure
39	Five falls pilot programmes to be rolled out nationwide once the evaluation of the 'Idea Nation' information is completed. The winning ideas will form the five pilot programmes.	Quarterly update on progress
40	Injury Prevention Strategy – report on the findings of the review and progress towards the development and implementation of the revised Strategy.	Quarterly update on progress
Organ	isational Measures	
41	Staff turnover	Quarterly measure
	Turnover of high performers.	
42	Staff engagement The ratio of engaged to disengaged staff.	Annual measure

Measure number	Description	Note	
43	Infrastructure and operations	Quarterly measure	
	Performance index of system uptime on a scale of 1 to 10.		

PART 4: SUPPORTING INFORMATION

This section provides some key supporting information to assist in the assessment of ACC's performance. ACC's outputs are set out in Section 6 of the *Statement of Intent 2012-2015*. Performance against these outputs will be included in the 2013 Annual Report as part of the Statement of Service Performance.

CLAIMS FORECAST

The following table outlines a forecast of claims numbers for the 2012-2013 year; this is included as a guide only. The Scheme is entitlement based and ACC does not therefore have the ability to ration its services, as demand is determined by the number of covered injuries that occur and the treatment and entitlements provided to those who are injured.

Title	Definition	Trend		
		2009-10 (actual)	2010-11 (actual)	2012-13 (forecast)
Registered claims	Total number of registered claims in the period, by lodgement date.	1,662,347	1,675,107	1,710,139
Medical fees only claims	Total number of medical fees only claims in the period, by lodgement date.	1,468,551	1,478,215	1,504,923
Other entitlement claims	Total number of other entitlement claims (all entitlement claims excluding weekly compensation) that receive a payment in the period.	112,406	99,977	95,726
Weekly compensation claims	Total number of weekly compensation claims that receive a payment in the period.	95,731	85,902	84,191
Long-term weekly compensation claims	Total number of claims that have been receiving weekly compensation entitlements for 365 consecutive days.	19,001	16,321	10,742
New Serious injury claims	Total number of new serious injury claims in the period by lodgement date.	254	208	250

SUMMARY OF FINANCIAL INFORMATION

The following table provides a summary of ACC's financial information for the 2012-13 year. Full financial information is included in ACC's *Statement of Intent 2012-2015*.

Item (\$million)	Budget 2012-2013	Forecast 2011-2012	Variance	
Net levy revenue	4,628	4,835	(207)	
Claims incurred				
Claims paid	2,777	2,658	(119)	
Claims handling costs	337	333	(4)	
Increase in claims liability	1,103	2,615	1,512	
Total claims incurred	4,217	5,606	(1,389)	
Change in unexpired risk liability	61	152	91	
Other operating costs	49	48	(1)	
Injury prevention costs	20	25	5	
Collection costs	37	37	0	
Underwriting results	244	(1,033)	1,277	
Investment income	1,169	1,519	(350)	
Investment costs	52	50	(2)	
Other income	1	2	(1)	
Surplus	1,362	438	924	



Office of Hon Judith Collins

MP for Papakura Minister of Justice Minister for ACC Minister for Ethnic Affairs

1 6 APR 2012

John Judge Chair ACC Board PO Box 242 WELLINGTON 6410

Dear John

Thank you for the feedback, in your letter of 26 March 2012, on the draft Letter of Expectations I sent you on 15 February 2012. Your comments are reflected in this revised letter.

Your separate letter of 26 March 2012 summarises a number of important areas to which the Board is giving its attention and I look forward to seeing the results from these initiatives. However, I would want to see more balance in the way the Board approaches its responsibilities and its strategic focus. The matters set out in this letter should be clearly reflected in the Board's Statement of Intent, and I expect ACC's quarterly performance reporting to demonstrate how ACC is giving effect to the priorities I have set out below.

Sound financial discipline remains a high priority for this Government, and I endorse the Board's efforts to identify and manage funding risks, improve its forecasting, explore options for risk pricing, and review its costs. However, the Board has a much broader set of responsibilities in relation to administration of the Scheme. These are about: preventing injuries; meeting the highest standards of service; ensuring entitlements are delivered fairly and transparently to all New Zealanders; achieving outcomes that are consistent with the letter and spirit of the legislation; and demonstrating that ACC is meeting best practice in all parts of its operations. I would like you to review your priorities in light of these broader duties, and I expect to see a more appropriate balance of strategic objectives in the Board's Statement of Intent.

In particular, while the gains made by ACC over the past year are very pleasing, I am aware that the initiatives taken by the Board to raise the performance of ACC have had many and varied impacts on claimants, health providers, and other stakeholders. ACC and the way it delivers services are now seen by many in a new light. This changed view of ACC can reflect on the perceived fairness and integrity of the Scheme itself.

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Recent events have not helped the public image of the Corporation. I expect the Board to work hard to maintain – and where necessary to rebuild – the trust and confidence the public can rightly expect to have in ACC and in the Scheme it is charged with managing for all New Zealanders.

Therefore, I expect your Board, management, and staff to cooperate fully with the independent review of ACC privacy and security of information it has commissioned in conjunction with the Privacy Commissioner, and to implement all recommendations. There will, however, be many accountabilities, systems, and processes that can be strengthened immediately, and the Board must give the highest priority to this task.

In conjunction with this work to address identified weaknesses in ACC systems and procedures I expect the Board to draw up assurance measures and processes to provide me with the confidence that privacy and information security risks are being effectively managed. These should be in place by 1 June 2012.

It is important that you keep me regularly and fully informed on actions you are taking to make immediate necessary improvements. When the independent review has been completed, I propose to seek advice from my officials from the Department of Labour about the review's recommendations and ACC's implementation of these recommendations. The Department will be making contact with ACC management to offer assistance and provide me with additional assurance that my expectations, as outlined above, will be met.

My Ministerial colleagues and I have yet to make decisions on options to further improve management of the Scheme and I will write to you again once those decisions are made. In the meantime I have outlined my broad priorities and expectations for ACC in the coming year. These build on the positive work you and the Board have already been doing.

The Board's focus for 2012/13

Maintaining a focus on levy stability and financial sustainability, and achieving the purposes of the Scheme

The Board has a solid record of achieving above-benchmark investment returns, and has brought about long-term reductions in claims liabilities, along with improvements in rehabilitation rates. I expect the Corporation to maintain its focus on levy stability and financial sustainability by controlling costs, benchmarking its own services against external comparators wherever possible, and through astute management of its investments. The Minister of Finance has written to you separately outlining his priorities and expectations in relation to the Corporation's investment function.

Firm and fair administration of the Scheme

The Board should strictly apply the legislative criteria for entitlements while preserving trust and confidence in the Scheme and in the Corporation. The Corporation must follow a fair process for assessing the eligibility of claimants,

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and ensure people receive their fair entitlements. I expect the Board to monitor carefully the numbers and outcomes from claims disputes, reviewing its processes where warranted. In particular, I would like to see more disputes resolved satisfactorily without the need for formal independent resolution. ACC's analysis of review data should promote this outcome.

Preventing Injuries and helping claimants return to work

The major outcomes the Government will be seeking through any changes to the management of the Scheme will be fewer injuries and getting people back to work sooner. The changes made by the Government will be pragmatic, and will be focused on strengthening ACC's performance and offering employers choice where it makes sense to do so.

Better public services

The Government has embarked on a Better Public Services programme, which has three objectives:

- setting clear priorities
- delivering high quality services
- reducing waste.

These three objectives should guide the Board's ongoing work to reduce costs, meet the needs of claimants, and streamline systems and processes. I am encouraged by evidence that the new Chief Executive is open to considering initiatives and opportunities to bring about further business improvements.

I expect the Board to keep ACC's business model under constant review, looking for opportunities to improve front-line and back-office systems and processes. The Government's Better Public Services programme and Treasury's recently released benchmarking report on administrative and support services are key reference points for this work. Specific measures and targets in the Statement of Intent should provide evidence that ACC is continuing to deliver world class services to injured New Zealanders and making further improvements to productivity and efficiency.

Planning and monitoring framework

The statutory planning and monitoring framework applying to ACC is set out in the Crown Entities Act 2004 and in the Accident Compensation Act 2001. I encourage the Board to look at state sector accountability processes and practices with the objective of strengthening its planning processes and reporting, consistent with its governing principles.

Business Planning

I expect you to consult the Department as you set strategic and operational priorities, performance measures and targets for the coming year. The Corporation's business plan and supporting group plans should be provided to Departmental officials and me so that we can review the assumptions and forecasts on which your Statement of Intent is based. Annual performance

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targets should be realistic, build on past performance, and be supported by monthly targets.

I am aware that the uncertain economic outlook makes it difficult for the Board to reliably forecast future funding requirements for the Scheme. This makes it all the more important that the Board carry out regular reviews of the medium and long-term funding paths for each Scheme Account and discuss these with officials. I expect the Board to be using its Account Plans as a key resource for reviewing financial sustainability, and on a regular basis to be revising underlying assumptions and forecasts. I expect the Board to actively manage risks associated with different economic and Scheme scenarios, including planning for a situation where there is significant growth in new claims and take-up of entitlements.

The Department has engaged the New Zealand Institute of Economic Research to review its monitoring framework, and the results of this review will be shared with you to look at any recommendations.

I am keen to strengthen the framework for the monitoring of ACC performance: more effective strategic engagement, explicit integration of planning processes and exchange of key operational planning documents are critical to this. There is no intention to bring ACC under the monitoring umbrella of Treasury's Crown Ownership Monitoring Unit.

Good governance

I look to you to ensure governance is effective and consistent with best practice. That includes strategic oversight, risk management, and assurance that financial and operational systems are working well. Board performance is critical to good governance and I expect you to have systems in place for director induction, development, review, and succession planning. I am pleased to learn that you intend to review the education programme for the Board and look forward to seeing a suggested succession plan for the Board.

Reporting on Performance

I want to be kept informed of the Corporation's financial and non-financial performance. Current quarterly reporting should continue in its present form, along with ad hoc advice when necessary. However, you will be aware of the considerable public interest in the on-going performance of the Corporation and in its activities. This carries with it expectations of public accountability and disclosure. In that regard I encourage the Board to think about routinely publishing its quarterly performance results and I look forward to your response to this proposal in due course.

Funding Policy

Looking ahead to the medium and longer-term, you will be aware that in October 2011 Cabinet directed officials to review the funding policy for the ACC Accounts. This review will be led by the Department and I expect you to take an active part in identifying and analysing options.



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Communications

I would like our communications to be simple and straightforward. There will be times when you need to make contact at short notice, and you should not hesitate to do so. I should be advised of any event or set of circumstances that could be controversial, materially affect the financial position of the Corporation, or otherwise be of significant interest to me or the Government. I expect to be informed in advance of operational changes and their likely implications. Early and thorough consultation should occur with other government agencies on any operational or policy-related changes being considered by the Board.

Otherwise I am flexible about how often we meet, but given my other commitments it would be wise for such meetings to be arranged as far ahead as possible. Ideally I would meet you at regular intervals; this is something to be arranged between my Office and yours.

As I mention above, a number of policy options are under consideration. The Corporation will be consulted as appropriate. It is important that all relevant information is held securely within the Corporation and treated in strict confidence. ACC management and staff need to be circumspect in all discussions relating to the policy options under consideration, and my Office should be informed of any approach made to the Corporation to debate or offer views on matters under consideration by officials or Ministers.

I appreciate the efforts of the Corporation in providing briefings on its activities, and I look forward to working with you.

Yours sincerely

Minister for ACC

Hon Judith Collins

APPENDIX 2: ACC BUDGET

Vote: ACC: Delivery of Services to Non-Earners: Performance Measures and Targets

Outcome: Deliver quality results for the injured

Case Management and Supporting Services - Non-Earners' Account

Output Performance Measures and Standards

	2011-2012	2012-2013
	Forecast Actual	Budget
Quantity		
Claims handling costs are within budget	\$57.627m	\$69.518
The ratio of claims handling costs to payments is within target.	7.6%	8.7%
Activity information (see Note 1)		
The number of newly registered Non- Earner claims.	861,815	879,051
The number of active claims.	862	879

Note 1 - Activity information relates to output volume measures that are demand driven and therefore outside the Corporation's control.

Note 2- Active claims refer to claims receiving weekly compensation in the period.

Case Management and Supporting Services - Treatment Injuries for Non-Earners

Output Performance Measures and Standards

Performance Measures	2011-2012	2012-2013	
renormance measures	Forecast Actual	Budget	
Quantity			
Claims handling costs are within budget	\$11.440m	\$10.548m	
The total claims handling costs as a percentage of payments are within the agreed target.	12.4%	10.7%	
Activity information			
The number of newly registered Treatment Injury claims.	5,300	5,777	
The number of active claims.	1,860	2,028	

Public Health Acute Services – Non-Earners' Account

Output Performance Measures and Standards

Performance Measures	2011-2012	2012-2013	
renormance measures	Forecast Actual	Budget	
Quality			
The 2013/14 service agreement between ACC and the Ministry of Health for the purchase of acute public health services is agreed by 1 July 2013.	Met	Agreement agreed by 1 July 2013	
The conditions of the 2012/13 service agreement are met.	Met	100% service agreement conditions are met	

Public Health Acute Services - Treatment Injuries for Non-Earners

Output Performance Measures and Standards

Performance Measures	2011-2012	2012-2013	
renormance measures	Forecast Actual	Budget	
Timeliness			
The 2013/14 service agreement between ACC and the Ministry of Health for the purchase of acute public health services is agreed by 1 July 2013.	Met	Agreement agreed by 1 July 2013	
Quality			
The conditions of the 2012/13 service agreement are met.	Met	100% service agreement conditions are met	

Rehabilitation Entitlements and Services - Non-Earners' Account

Output Performance Measures and Standards

Performance Measures	2011-2012	2012-2013		
renormance weasures	Forecast Actual	Budget		
Quantity				
Expenditure within budget for: Total expenditure	\$761.411m	\$799.697m		
Medical costs	\$194.538m	\$204.686m		
Hospital treatment	\$63.054m	\$66.2513m		
Social rehabilitation	\$139.033m	\$149.378m		
Activity information				
The number of other entitlement claims.	59,510	60,436		
The number of long-term weekly compensation claims.	280	279		
The number of serious injury claims.	100	100		

Rehabilitation Entitlements and Services - Treatment Injuries for Non-Earners

Output Performance Measures and Standards

Performance Measures	2011-2012	2012-2013		
renormance weasures	Forecast Actual	Budget		
Quantity				
Expenditure within budget for:				
Total expenditure	\$92.630m	\$98.862m		
Medical costs	\$4.455m	\$4.771m		
Hospital treatment	\$11.249m	\$11.860m		
Social rehabilitation	\$36.593m	\$39.039m		
Activity Information				
The number of other entitlement claims.	4,399	4,795		
The number of long-term claims.	409	415		
The number of serious injury claims.	20	20		

APPENDIX 3: FUNDING OF THE NON-EARNERS' ACCOUNT: SCHEDULE OF PAYMENTS TO ACC 2012-2013

ACC due date	10-Jul	7-Aug	11-Sep	9-Oct	6-Nov	11-Dec	8-Jan	5-Feb	5-Mar	9-Apr	7-May	11-Jun	Total
	\$0000	\$0000	\$0000	\$0000	\$0000	\$0000	\$0000	\$0000	\$0000	\$0000	\$0000	\$0000	\$0000
Non-Earners' Account													
Case Management and Supporting Services (GST excl)	4,720	4,720	4,720	4,720	4,720	4,720	4,720	4,720	4,720	4,720	4,720	4,719	56,639
Rehabilitation Entitlements and Services (GST excl)	44,999	44,999	44,999	44,999	44,999	44,999	44,999	44,999	44,999	44,999	44,999	45,003	539,992
Public Health Acute Services (GST excl)	23,107	23,107	23,107	23,107	23,107	23,107	23,107	23,107	23,107	23,107	23,107	23,104	277,281
Compensation Entitlements (GST excl)	1,999	1,999	1,999	1,999	1,999	1,999	1,999	1,999	1,999	1,999	1,999	2,000	23,989
Treatment Injury Account													
Case Management and Supporting Services (GST excl)	1,660	1,660	1,660	1,660	1,660	1,660	1,660	1,660	1,660	1,660	1,660	1,656	19,916
Rehabilitation Entitlements and Services (GST excl)	15,249	15,249	15,249	15,249	15,249	15,249	15,249	15,249	15,249	15,249	15,249	15,246	182,985
Public Health Acute Services (GST excl)	41	41	41	41	41	41	41	41	41	41	41	46	497
Compensation Entitlements (GST excl)	2,207	2,207	2,207	2,207	2,207	2,207	2,207	2,207	2,207	2,207	2,207	2,202	26,479
GST	13,466	13,466	13,466	13,466	13,466	13,466	13,466	13,466	13,466	13,466	13,466	13,471	161,597
TOTAL CASH TO ACC (Incl GST)	107,448	107,448	107,448	107,448	107,448	107,448	107,448	107,448	107,448	107,448	107,448	107,447	1,289,375