

24th Edition

Comparative Performance Monitoring Report 24 /

Workers'
Compensation Funding

Disclaimer

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ISSN 2209-9158

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Comparative Performance Monitoring (CPM) 24th edition indicators

The CPM comprises of 23 Work Health and Safety and Workers' Compensation measurement indicators spread over 6 sections. The bolded indicators are included in this section.

Work Health and Safety Performance

- Indicator 1 – Incidence rates of serious injury and disease claims by jurisdiction
- Indicator 2 – Frequency rates of serious injury claims by jurisdiction
- Indicator 3 – Incidence rates of long term (12 weeks or more compensation) injury and disease claims by jurisdiction
- Indicator 4 – Frequency rates of long term (12 weeks or more compensation) injury and disease claims by jurisdiction
- Indicator 5a and 5b – Self-insured claims: number and proportion of serious claims by jurisdiction
- Indicator 6 – Serious claims: Percentage involving selected periods of compensation
- Indicator 7a and 7b – Traumatic injury worker fatalities: number and rate of incidents not on a public road, by state of death
- Indicator 8 – Compensated fatalities involving occupational diseases by jurisdiction
- Indicator 9 – Size of business
- Indicator 10a to 10h – Proportion of serious claims by mechanism of incident
- Indicator 11a to 11s – Incidence rates of serious claims by industry

Work Health and Safety Compliance and Enforcement Activities

- Indicator 12a – Work health and safety intervention activity by jurisdiction
- Indicator 12b – Work health and safety inspectorate activity by jurisdiction
- Indicator 12c – Work health and safety notices and enforceable undertakings by jurisdiction
- Indicator 12d – Work health and safety legal proceedings and fines by jurisdiction

Workers' Compensation Premiums

- Indicator 13 – Standardised average premium rates (including insured and self-insured sectors) by jurisdiction
- Indicator 14a to 14s – Australian average premium rates by industry

Entitlements under Workers' Compensation

- Indicator 15 – Average percentage of pre-injury earnings for selected periods of incapacity as at 1 January 2021
- Indicator 16 – Estimated entitlements payable for permanent incapacity as at 1 January 2021
- Indicator 17 – Estimated entitlements payable for a workplace fatality as at 1 January 2021

Workers' Compensation Funding

- Indicator 18 – Standardised ratio of assets to net outstanding claim liabilities for centrally funded schemes**
- Indicator 19 – Standardised ratio of assets to net outstanding claim liabilities for privately underwritten schemes**
- Indicator 20a and 20b – Scheme expenditure (\$m and %)**
- Indicator 21 – Direct compensation payments by type and jurisdiction**

Workers' Compensation Disputes

- Indicator 22 – Proportion of claims with dispute
- Indicator 23 – Percentage of disputes resolved within selected time periods (cumulative)

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Foreword

This is the 24th edition of the Comparative Performance Monitoring (CPM) report which provides trend analyses about work health and safety (WHS) and workers' compensation schemes operating in Australia and New Zealand.

This report has been compiled and coordinated by Safe Work Australia with assistance from representatives of all WHS and workers' compensation authorities in Australia and New Zealand. Through a partnership of governments, employers and employees, Safe Work Australia leads the development of national policy to improve WHS and workers' compensation arrangements across Australia.

The report is presented in the following sections:

- Work health and safety performance – provides an overview of WHS performance across Australia and New Zealand through analysing trends in serious claim rates and work-related fatalities across jurisdictions.
- Work health and safety compliance and enforcement activities – includes a jurisdictional comparison of workplace interventions, inspectorate activity, safety notices, enforceable undertakings, legal proceedings and fines.
- Workers' compensation premiums - includes a national and jurisdictional overview of the standardised average premium rates by industry in the past 5 years.
- Entitlements under workers' compensation (scenarios) – illustrates the differences in entitlement levels across jurisdictions under several scenarios.
- Workers' compensation funding – assets, liabilities and expenditure– includes information about the different funding arrangements of the schemes and compares the differences in scheme funding arrangements and finances (this section).
- Workers' compensation disputes – includes information about disputes against an insurer's decision or decisions relating to compensation.

Previous editions of the CPM report also included return to work rates as measured in the National Return to Work Survey. Results from the latest National Return to Work Survey (2021) and earlier surveys are available on the Safe Work Australia website. For trend data on the return to work rates (from 2012 to 2018) please refer to the 22nd edition of the CPM (Part 3).

About the data

Comparisons of CPM measures/outcomes across the jurisdictions workers' compensation schemes should be made with caution due to the differences in design, coverage, definitions and processes. Readers may find the Comparison of workers' compensation arrangements in Australia and New Zealand useful in comparing the differences in key aspects of each scheme. Additionally, data in this publication may differ from jurisdictional annual reports due to the use of different definitions and the application of adjustment factors to aid in the comparability of data.

The CPM does not currently include information or data from other industry-specific regulators that have responsibilities with respect to WHS and workers' compensation. These include national industry-based regulators with compliance and enforcement roles such as the National Heavy Vehicle Regulator, the National Rail Safety Regulator and the National Offshore Petroleum Safety and Environmental Management Authority, and other agencies with responsibility for industry-specific compensation claims. Further information on these regulators can be found on their respective websites.

In this report 'Australian Government' is used for indicators relating to WHS and workers' compensation matters under the Australian Government jurisdiction, while 'Comcare' is used for the indicators relating to premium rates and entitlements.

Comparative Performance Monitoring Report

Workers' Compensation Funding

Average funding ratio in Australia (2020-21)

Centrally funded schemes & privately underwritten schemes were both above

100%



Since 2019-20:

centrally funded schemes



privately underwritten schemes

↓ down 3%

↑ up 1%

Scheme expenditure (2020-21)



Total payments made by Australian schemes:

\$10.84

billion



This primarily consisted of:



55.3%

provided directly to claimants



22.6%

in services to claimants



16.6%

in insurance operations



safe work australia

1. Introduction

There are significant differences in funding arrangements for the various workers' compensation schemes around Australia.

In centrally funded schemes (New South Wales, Victoria, Queensland, South Australia, the Australian Government and New Zealand), a single public insurer — a government agency, performs most, if not all of a workers' compensation insurer's functions. Central insurers are responsible for underwriting their scheme.

In privately underwritten schemes (Western Australia, Tasmania, the Northern Territory, the Australian Capital Territory and Seacare), most, if not all insurer functions are provided by the private sector through approved insurance companies and self-insuring employers who meet the appropriate prudential and other prerequisites. This includes underwriting.

These differences in funding arrangements should be considered when reviewing this section. More information about the definitions and inclusions for assets to liabilities ratios and scheme expenditure is available in *Appendix 1 – Assets to liabilities ratio (funding ratio) definitions* at the end of the section.

1.1 Assets to liabilities ratio

This section reports the standardised ratio of assets to net outstanding claim liabilities (funding ratio) for each jurisdiction over the past five years (2016-17 to 2020-21).

This indicator is a measure of the adequacy of the scheme to meet future claim payments. Ratios above 100% indicate that the scheme has more than sufficient assets to meet its predicted future liabilities. Conversely, low ratios could be an indication of the need for a scheme to increase its premium rates to ensure that assets are available for future claim payments. Funding ratio trends should therefore be considered in conjunction with the premium rates reported in the *Workers' compensation premiums* section of the Comparison Performance Monitoring report.

Self-insurers are employers who are allowed to manage and pay for their employees' claims for work-related injuries and disease, rather than paying premiums to insurers to take on these responsibilities. They are required to lodge financial guarantees to provide security for workers' compensation entitlements. Self-insurers are excluded from the funding ratio measures as the workers' compensation assets and liabilities are not quarantined from the rest of the self-insurer's business.

Insurers in privately underwritten schemes are governed by the Australian Prudential Regulatory Authority's prudential regulatory requirements to make sure that enough funds are available to cover all liabilities. The funding ratio measure for privately underwritten schemes does not capture the true extent of the private schemes' abilities to meet future claim payments and has been shown on a separate graph to those for the centrally funded schemes.

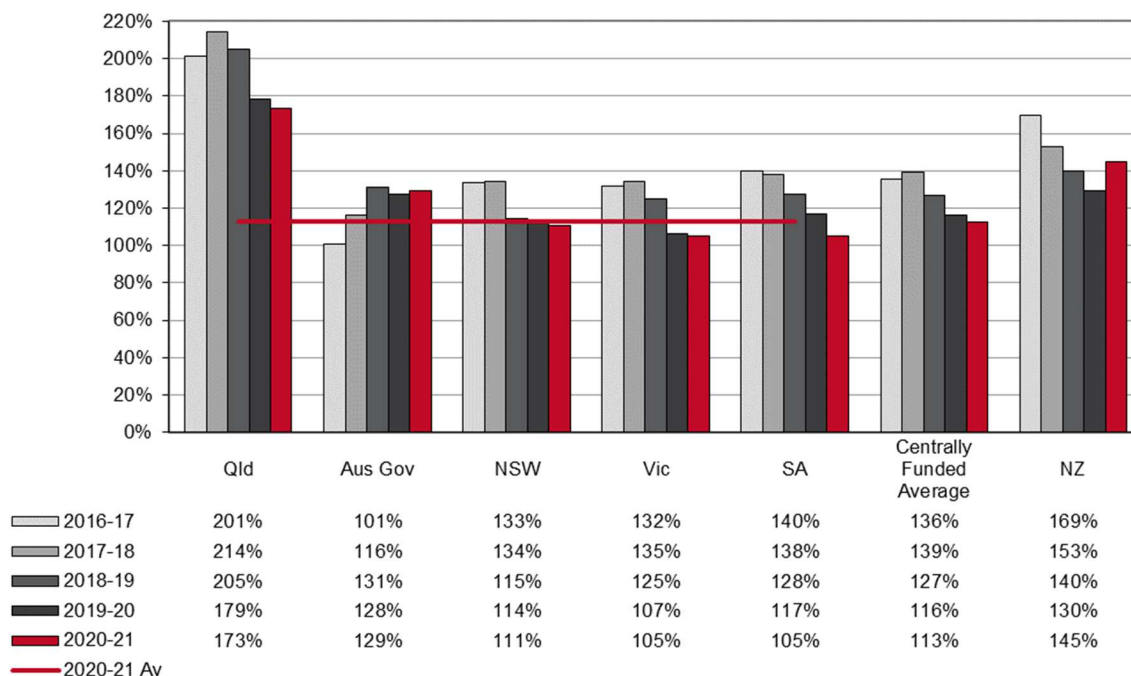
Centrally funded schemes

For centrally funded schemes, Indicator 18 shows:

- The average funding ratio for centrally funded schemes was 113% in 2020-21, a **3% decrease** from the previous financial year.
 - Decreases in funding ratios was recorded across all but one centrally funded scheme, the Australian Government's, which increased from 128% to 129%.
 - The highest decrease was recorded in South Australia (↓ **decreased 10%** to a ratio of 105% in 2020-21).
- All centrally funded schemes still have funding ratios above 100%, indicating that assets are sufficient to meet future liabilities in these jurisdictions.

- In New Zealand, the funding ratio in 2020-21 (145%) **increased by 12%** when compared to the previous financial year.

Indicator 18 – Standardised ratio of assets to net outstanding claim liabilities for centrally funded schemes



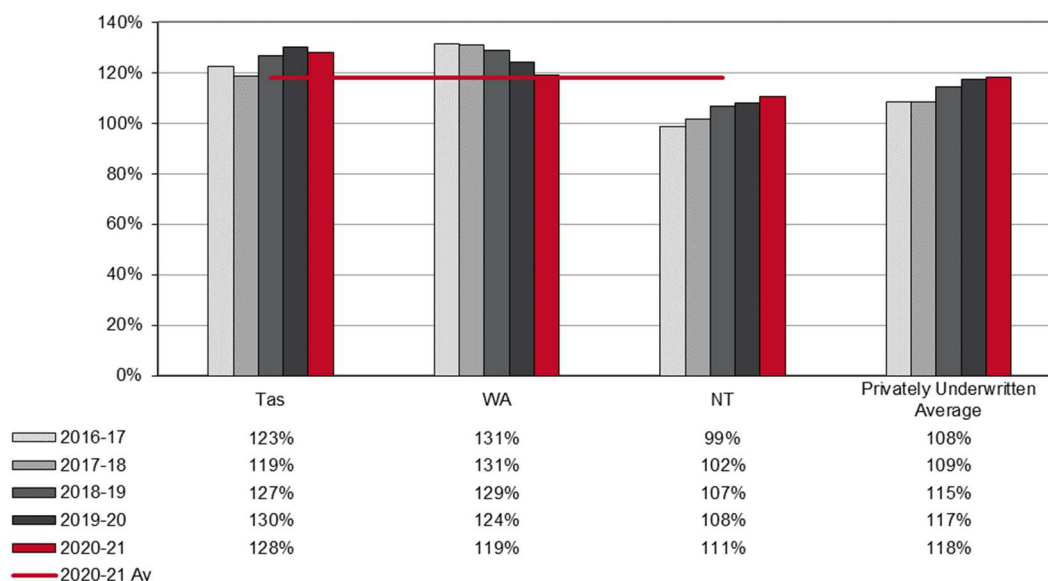
Privately Underwritten Schemes

For privately underwritten schemes, Indicator 19 shows:

- In 2020–21 the average funding ratio for privately underwritten schemes was 118%, a **1% increase** from the previous year.
- Tasmania and Western Australia both recorded decreases in their funding ratios (**↓ down 2% and 4%** respectively), while the Northern Territory recorded a **2% increase**.

Seacare and the Australian Capital Territory schemes are privately underwritten, but no data is currently available for this Indicator.

Indicator 19 – Standardised ratio of assets to net outstanding claim liabilities for privately underwritten schemes



1.2 Scheme expenditure

This section shows the amount and proportion of total scheme expenditure paid out to injured workers, plus administrative costs, for the period 2016-17 compared to 2020-21. Since centrally funded and privately underwritten schemes have different financial structures, this indicator separates each jurisdiction into their respective funding arrangement group.

National

In 2020-21, total scheme expenditure across Australia was \$10.84 billion. This was an **increase of 30%** over the period from 2016-17 and 2020-21. The scheme expenditure consisted of:

- 55.3% provided **directly to claimants (↑ up 41%)**. Direct compensation is paid to injured employees either as weekly benefits, redemptions, common law settlements (excluding legal costs), and non-economic loss benefits.
- 22.6% in **services to claimants (↑ up 23%)**. Services to claimant include expenditures for medical and legal services plus expenditures for services like funeral, interpreting and transport services.
- 16.6% in **insurance operations (↑ up 18%)**. Insurance operations encompass costs associated with claims management and premium collection functions of the scheme (e.g. premiums/levy management, feed paid to agents, medical reports, registration of employers etc).
- 0.8% in **regulation (↓ down 8%)**. Regulation costs include those for license and performance management, compliance activities (e.g. fraud investigations, litigation and prosecution), and services such as advertising, administration, IT costs, research, overseeing employers, etc.
- 1.3% in **dispute resolution (↓ down 4%)**. Dispute resolution includes all activities associated with the finalisation of disputes other than the direct costs of a claim. This includes costs associated with departments of justice/courts, conciliation, medical panels and workers' compensation tribunals/courts.
- 3.4% in **other administration (↑ up 15%)**. Other administration costs are generally expenditures for corporate administration purposes.

Jurisdictions

Overall an increase in scheme costs was recorded for eight of the nine jurisdictions over the period from 2016-17 to 2020-21.

- While New South Wales recorded the largest percentage increase overall (**↑ up 45%**), Queensland and Victoria also experienced significant increases in scheme expenditures (**↑ up 39%** and **34%** respectively).

The only jurisdiction that experienced a decrease in scheme costs between 2016-17 to 2020-21 was Comcare (**↓ down 18%**). South Australia and the Northern Territory had similar costs over the 5 year period, **increasing 2%** and **1%** respectively.

- During these five years, Comcare recorded a decrease in all of the scheme expenditure categories except for Other Administration.
- Conversely, South Australia reported an increase in all categories but for Other Administration, which **decreased by 72%**.

Examining the individual scheme expenditure categories between 2016-17 to 2020-21, Indicator 20a and 20b show:

- Payments made **directly to workers** increased in seven of the nine jurisdictions.
 - The largest increase was recorded by New South Wales (**↑ up 64%**).
 - The largest decrease was recorded by Comcare (**↓ down 18%**).
- Expenses paid to workers as **services to claimants** also increased in seven jurisdictions.
 - The largest increase was recorded by Seacare (**↑ up 72%**).
 - The largest decrease was recorded by Comcare (**↓ down 27%**).
- Costs associated with expenses for **insurance operations** increased in eight jurisdictions.
 - The largest increase was recorded by Seacare (**↑ up 61%**).
 - The only decrease was recorded by Comcare (**↓ down 3%**).
- Costs in **regulation** increased in three jurisdictions.
 - The largest increase was recorded by Western Australia (**↑ up 21%**).
 - The largest decrease was in Tasmania (**↓ down 52%**).
- Costs in **dispute resolution** increased in four jurisdictions.
 - The largest increase was recorded by Western Australia (**↑ up 22%**).
 - The largest decrease was recorded by Comcare (**↓ down 85%**).
- Expenditures spent on '**Other administration**' increased in seven jurisdictions.
 - The largest increase was recorded by the Northern Territory (**↑ up 292%**, from \$1.7 million to \$6.7 million). Prior to 2017-18 human resources and personnel were reported under OHS Inspection/Licensing which the Northern Territory moved to Corporate Administration resulting in the large reported increase.
 - The largest decrease was in South Australia (**↓ down 72%**).

Indicator 20a – Scheme expenditure (\$m)

Expenditure (\$M)	Centrally funded					Privately underwritten				Total	
Scheme costs	NSW	Vic	Qld	SA	Aus Gov	WA	Tas	NT	Seacare	Australia	NZ
2016–17											
Direct to claimant	1,089.2	1,167.6	827.9	214.3	157.6	635.4	78.7	82.2	10.6	4,263.5	307.2
Services to claimant	677.9	495.6	294.9	120.2	86.7	243.3	33.5	30.3	1.2	1,983.7	216.2
Insurance operations	527.6	435.7	94.9	107.5	24.9	263.3	34.9	30.7	2.4	1,522.0	59.8
Regulation	29.4	41.7	11.1	6.1	2.4	4.2	2.4	u/a	u/a	97.0	26.4
Dispute resolution	77.5	35.7	13.7	6.2	3.5	4.4	1.1	0.8	u/a	143.0	u/a
Other administration	72.2	60.3	44.0	108.3	20.8	9.0	1.6	1.7	0.7	318.4	38.0
Total	2,473.7	2,236.6	1,286.5	562.5	295.9	1,159.5	152.2	145.7	14.9	8,327.6	647.6
2020–21											
Direct to claimant	1,784.0	1,747.2	1,181.5	279.7	129.7	699.5	92.0	69.5	11.0	5,994.0	483.5
Services to claimant	922.9	583.1	404.9	138.2	63.5	269.0	35.4	29.5	2.1	2,448.5	271.6
Insurance operations	636.3	497.3	115.2	114.1	24.1	333.1	38.6	40.6	3.9	1,803.2	74.3
Regulation	26.0	36.5	12.0	6.4	2.1	5.0	1.1	u/a	u/a	89.2	27.5
Dispute resolution	69.0	39.8	13.5	6.6	0.5	5.4	1.3	0.7	u/a	136.8	2.2
Other administration	136.9	104.1	55.1	29.8	23.5	8.1	1.7	6.7	1.3	367.2	58.1
Total	3,575.2	3,008.0	1,782.3	574.8	243.4	1,320.0	170.1	146.9	18.3	10,839.0	917.3

Note: Figures are rounded to the nearest one decimal place and therefore the rows and columns may not add to the respective totals. u/a – Data is unavailable or not collected.

Indicator 20b – Scheme expenditure (%)

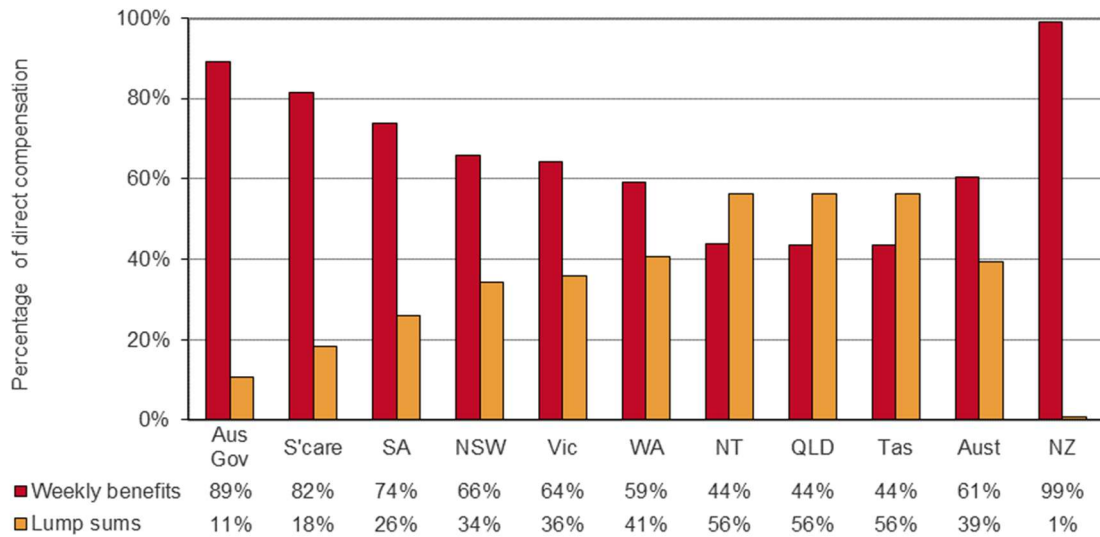
Percentage of total expenditure (%)	Centrally funded					Privately underwritten				Total	
	NSW	Vic	Qld	SA	Aus Gov	WA	Tas	NT	Seacare	Australia	NZ
2016–17											
Direct to claimant	44.0	52.2	64.3	38.1	53.3	54.8	51.7	56.4	71.1	51.2	47.4
Services to claimant	27.4	22.2	22.9	21.4	29.3	21.0	22.0	20.8	8.1	23.8	33.4
Insurance operations	21.3	19.5	7.4	19.1	8.4	22.7	22.9	21.1	16.2	18.3	9.2
Regulation	1.2	1.9	0.9	1.1	0.8	0.4	1.5	u/a	u/a	1.2	4.1
Dispute resolution	3.1	1.6	1.1	1.1	1.2	0.4	0.8	0.6	u/a	1.7	u/a
Other administration	2.9	2.7	3.4	19.2	7.0	0.8	1.0	1.2	4.6	3.8	5.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
2020–21											
Direct to claimant	49.9	58.1	66.3	48.7	53.3	53.0	54.1	47.3	60.0	55.3	52.7
Services to claimant	25.8	19.4	22.7	24.0	26.1	20.4	20.8	20.0	11.4	22.6	29.6
Insurance operations	17.8	16.5	6.5	19.9	9.9	25.2	22.7	27.7	21.3	16.6	8.1
Regulation	0.7	1.2	0.7	1.1	0.9	0.4	0.7	u/a	u/a	0.8	3.0
Dispute resolution	1.9	1.3	0.8	1.1	0.2	0.4	0.8	0.5	u/a	1.3	0.2
Other administration	3.8	3.5	3.1	5.2	9.7	0.6	1.0	4.5	7.3	3.4	6.3
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Direct compensation payments

Indicator 21 shows the distribution of direct payments into weekly benefits and lump sums. The payment of long-term weekly benefits results in higher administration costs. This indicator shows that in 2020-21, six out of the nine Australian jurisdictions paid out more as weekly benefits than lump sum benefits.

The New Zealand scheme has little provision for lump sum payments.

Indicator 21 – Direct compensation payments by type and jurisdiction, 2020–21



Appendix 1 – Assets to liabilities ratio (funding ratio) definitions

Different measures of assets to liabilities can arise from different economic and actuarial assumptions in valuing liabilities as well as differences in the definitions of:

- assets and net assets, and
- liabilities, such as allowance in some schemes for prudential margins, and allowance for different levels of claim handling expenses.

Different definitions of net assets have been addressed in this publication by applying a consistent definition. For centrally funded schemes, net assets are equal to the total current and non-current assets of the scheme minus the outstanding claim recoveries as at the end of the reference financial year. For privately underwritten schemes, assets are considered to be the insurers' overall balance sheet claims provisions.

A consistent definition of net outstanding claim liabilities has also been adopted, but there are still some differences between jurisdictions in the measurement of net outstanding claim liabilities. These relate to the different assumptions for claim handling expenses by jurisdictions for which adjustments have not been applied.

Net outstanding claim liabilities for centrally funded schemes are equal to the total current and non-current liabilities of the scheme minus outstanding claim recoveries as at the end of the reference financial year. For privately underwritten schemes, liabilities are taken as the central estimate of outstanding claims for the scheme (excluding the self-insured sector) as at the end of the reference financial year.

For jurisdictions with a separate fund dedicated to workers' compensation (centrally funded schemes), the assets set aside for future liabilities can be easily identified from their annual reports. Centrally funded schemes operate in Victoria, Queensland, South Australia, the Australian Government and New Zealand.

For jurisdictions where workers' compensation is underwritten by insurance companies (privately underwritten schemes), assets are set aside to meet all insurance liabilities, but the insurance companies do not identify reserves specifically for workers' compensation liabilities. For these schemes net assets are considered to be the balance sheet provisions made by the insurers at the end of each financial year. Privately underwritten schemes operate in Western Australia, Tasmania, the Northern Territory, the Australian Capital Territory and Seacare.

The New South Wales scheme is a managed fund, combining some of the features of centrally funded schemes and privately underwritten schemes.

Prudential margins

Many jurisdictions add prudential margins to their estimates of outstanding claims liabilities to increase the probability of maintaining sufficient assets to meet the liabilities estimate. This is done in recognition that there are inherent uncertainties in the actuarial assumptions underlying the value of outstanding liabilities. The addition of a prudential margin will lower the assets to liabilities ratio for that jurisdiction. As some jurisdictions do not have prudential margins, these margins have been removed from the estimates to enhance comparability. For jurisdictions that use prudential margins in determining their liabilities there will be a greater discrepancy between the ratios shown in this report and those shown in their annual reports. The margins that have been removed are:

- New South Wales — a risk margin of 15.6% for 2016–17, and 15.1% for 2017–18 and 2018–19 at 80% probability of adequacy. For 2019–20 the risk margin was 12.2% with 75% probability of adequacy. For 2020–21 the risk margin was 11.2% with 75% probability of adequacy.

- Victoria — a risk margin of 8.0% for 2016–17, 2017–18 and 2018–19, 9.5% for 2019–20 and 10.0% for 2020–21. The risk margin for the Insurers' Guarantee Fund and the Uninsured Employers and Indemnity Funds is 40% for the period 2016–17 to 2020–21.
- South Australia — a prudential margin of 12.9% from 2016–17, 13.3% from 2017–18, 12.6% from 2018–19, 12.7% from 2019–20 and 16.5% from 2020–21.
- Northern Territory — a prudential margin of 14.5% from 2016–17, 14.5% from 2017–18, 12.1% from 2018–19, 12.1% from 2019–20 and 12.1% from 2020–21.
- Queensland — a prudential margin of 9.8% from 2016–17, 9.6% from 2017–18, 9.0% from 2018–19 and 10.0% from 2019–20. No prudential margins were provided for 2020–21.

Appendix 2 – Jurisdictional contact information

Jurisdiction	Organisation	Contact details
New South Wales	State Insurance Regulatory Authority	13 10 50 contact@sira.nsw.gov.au www.sira.nsw.gov.au
	SafeWork NSW	contact@safework.nsw.gov.au www.safework.nsw.gov.au
	NSW Personal Injury Commission	1800 742 679 www.pi.nsw.gov.au
	icare NSW	www.icare.nsw.gov.au
	Independent Review Office	13 94 76 www.iro.nsw.gov.au
Victoria	WorkSafe Victoria	Advisory Service 1800 136 089 info@worksafe.vic.gov.au www.worksafe.vic.gov.au
Queensland	Office of Industrial Relations	Infoline 1300 362 128 www.worksafe.qld.gov.au
Western Australia	WorkCover WA	1300 794 744 www.workcover.wa.gov.au
	Department of Mines, Industry Regulation and Safety – WorkSafe	1300 307 877 www.dmir.wa.gov.au
South Australia	ReturnToWorkSA	13 18 55 www.rtwsa.com
	SafeWork SA	1300 365 255 www.safework.sa.gov.au
Tasmania	WorkSafe Tasmania	1300 366 322 (inside Tas) (03) 6166 4600 (outside Tas) wstinfo@justice.tas.gov.au www.worksafe.tas.gov.au
Northern Territory	NT WorkSafe	1800 019 115 ntworksafe@nt.gov.au www.worksafe.nt.gov.au
Australian Capital Territory	WorkSafe ACT	13 22 81 www.worksafe.act.gov.au
Seacare	Seacare Authority	(02) 6275 0070 seacare@comcare.gov.au www.seacare.gov.au
Australian Government	Comcare	1300 366 979 www.comcare.gov.au
New Zealand	Accident Compensation Corporation	64 7 848 7400 www.acc.co.nz
	WorkSafe New Zealand	0800 030 040 www.worksafe.govt.nz