

RECENT DEVELOPMENTS

Discussion paper: Improving workers compensation dispute resolution in NSW

[Link to Paper](#)

In response to a review of the workers compensation scheme conducted by the NSW Legislative Council Standing Committee on Law and Justice in 2017, the Department of Finance, Services and Innovation has recently issued a discussion paper seeking feedback on options to improve the workers compensation dispute resolution system in NSW.

There are a number of participants within the scheme who are currently responsible for claimant support, legal support, dispute management and resolution and system oversight that include:

- State Insurance Regulatory Authority (SIRA)
- Workers Compensation Commission (WCC)
- Workers Compensation Independent Review Office (WIRO)

The concerns sought to be addressed include the confusing and complex nature of the current system with multiple dispute pathways which claimants and other stakeholders find hard to navigate and find information.

The object of the discussion paper is to obtain views on how to build a system that:

- prevents disputes and helps parties reach agreement and resolve issues earlier, and
- supports claimants throughout the process to help them to return to work and good health.

There are proposals to improve the current system by:

- Delivering a 'one stop shop' for resolving disputes – four possible options.

- Focusing more on dispute prevention – changing approach to medical assessments, enabling more lump sum exits from the scheme instead of receiving ongoing payments, simplifying notices to claimants and providing simpler and clearer public information about dispute resolution.
- Implementing other system improvements – providing information and services online to make the system more 'user friendly', internal review of disputed decisions by insurers before going to the WCC and removing the need for claimants to provide full documentation before conciliation can begin.