



Board Minutes

Date	Wednesday, 13 December 2023
Time	9:00am-2:00pm
Location	Virtual
Board	Tracey Batten (Acting Chair), Pat Bowler, Mark Cross, Kim Gordon, David Hunt, Helen Nott and Bella Takiari-Brame
Executive Attendees	Megan Main (CE), Rēnata Blair (DCE Māori), Tane Cassidy (DCE, Prevention and Partnerships), Paul Dyer (Chief Investment Officer), Peter Fletcher (DCE, Enterprise Change Delivery), Michael Frampton (DCE, People and Culture), Amanda Malu (DCE, Service Delivery), Stewart McRobie (DCE, Corporate and Finance) and Andy Milne (DCE Strategy, Engagement and Planning).
Other Attendees	[Name withheld] (Manager Governance), [Name withheld] (Senior Corporate Secretary - Secretary) and [Name withheld] (Governance Advisor)

Item	Resolutions and Actions (Due Date)
<p><i>The meeting opened at 9:00am with all Board members present, except Helen Nott who joined at 9.52am and David Hunt and Mark Cross who joined at 10:00am. Items 1.1 and 1.2 were discussed from 10:00am to 11.38am following the attendance of all Board members.</i></p>	
1.	Board Only Time
1.1	<p>Board Only Discussion</p> <p>The Board discussed the appointments during the interim period while Tracey Batten is acting Board Chair.</p> <p>The Board discussed:</p> <ul style="list-style-type: none"> The six-monthly performance review of the Chief Executive. The public governance excellence course. <p>The Board:</p> <ul style="list-style-type: none"> Approved the appointment of David Hunt as the temporary Deputy Chair. Approved the appointment of David Hunt as acting Chair of the People and Culture Committee. Approved the appointment of Kim Gordon as an acting member of the People and Culture Committee. Noted these appointments are effective from 13 December 2023 until the date that the Minister appoints the new Board Chair.

IN CONFIDENCE

Item	Resolutions and Actions (Due Date)	
<i>Megan Main joined the CE Only Session at 11:15am.</i>		
1.2	CE Only Session	
<i>Rēnata Blair, Tane Cassidy, Paul Dyer, Peter Fletcher, Michael Frampton, Stewart McRobie, Andy Milne, [Name withheld], [Name withheld] and [Name withheld] joined the meeting at 9:00am. Amanda Malu joined at 9.15am.</i>		
2.	Meeting Opening	
2.1.	Welcome and Apologies Rēnata Blair led the karakia to open the meeting.	The Board noted that David Hunt, Mark Cross and Helen Nott will join the meeting at 10am.
2.2.	Register of Key Interests	The Board: <ul style="list-style-type: none"> • Reviewed the Register of Key Interests. • Noted that it was not aware of any other matters (including matters reported to, and decisions made by the Board at this Meeting) which would require disclosure.
2.3.	Board and Committee Members and Term	The Board noted the update.
2.4.	2024 Board Dates	The Board noted the 2024 Board dates.
2.5.	Previous Minutes	The Board approved the 23 November 2023 Minutes.
2.6.	Actions List	The Board noted the Actions List.
2.7.	Chair's Update The Chair provided her update, noting her meeting with the new Minister for ACC. The Chair noted that the Minister intends to visit ACC in January 2024. The Board discussion focussed on the implications of the AZ case, the 2024 levy consultation and the new access reporting requirements for ACC and briefing the Minister on these matters following discussions with the Board.	The Board noted the update.

IN CONFIDENCE

Item	Resolutions and Actions (Due Date)
<p>CE's Report</p> <p>The Board discussed the CE Report, and focus areas included:</p> <ul style="list-style-type: none"> • The <i>MyACC</i> platform being back online with limited functionality, and the progress of the fraud investigation. • The independent review of ACC's security controls and the report that will be prepared and provided to ACC in the new year. This report will be provided to the Board via the Board Risk Assurance and Audit Committee (RAAC). • The Court of Appeal decision on the AZ case and similar complex cases, and ACC's decision-making processes. • An overview of performance against the Service Agreement ahead of the Quarter 2 Performance Report. <p>Megan Main thanked Hon Steve Maharey and the Board for their support during the year. Megan also acknowledged the acting Chair, Tracey Batten, for her leadership and support following the resignation of the former Chair.</p> <p>2.8.</p>	<p>The Board noted the report.</p> <p>ACTIONS:</p> <p>Management to:</p> <ul style="list-style-type: none"> • Update in February 2024 on the implications of the AZ case. • Update in February 2024 on the legislative opportunities relating to scheme boundaries. • Update on ACC's decision-making processes in relation to complex claims.
<p>How is the Client?</p> <p>Amanda Malu provided an overview noting feedback from clients, the data recorded in the Client <i>Heartbeat</i> survey and a recent client experience.</p> <p>2.9.</p>	<p>The Board noted the update.</p>
<p>3. Committee Updates</p>	
<p>Board Investment</p> <p>Mark Cross updated the Board on the Committee's meeting on 12 December, and the Committee's discussions that focussed on:</p> <p>3.1.</p>	<p>The Board noted the update.</p> <p>The Board agreed that the approval required for the signing of the Power of Attorney may be by circulation, which the Secretary will follow up/action.</p>

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<ul style="list-style-type: none"> The Investment Risk Tolerance Statement that has been amended and will be published on the ACC website. [s 9(2)(h)] The establishment of a new sub-portfolio within the Australian Large Cap portfolio for training and development purposes and the approval of the benchmark and risk charge methodology to be used in the calculation of incentive remuneration. 	
<p>[Name withheld] [Name withheld], and [Name withheld] joined the meeting at 12.05pm.</p>	
<p>4. Strategic Direction</p>	
<p>4.1. Mana Taurite Equity Action Plan</p> <p>Andy Milne introduced the paper and provided an overview. The Board discussion focussed on:</p> <ul style="list-style-type: none"> The approach for developing the Mana Taurite Equity Action Plan based on four key focus areas to meet the new access reporting obligations and the strategic outcomes in Huakina Te Rā. The foundational evidence base to inform the Action Plan and the impact from the work underway within the StatsNZ Integrated Data Infrastructure. The governance framework required for the implementation of the Action Plan, and advisory groups that will provide the necessary strategic advice to progress ACC's measures towards the Huakina Te Rā goals. 	<p>The Board:</p> <ul style="list-style-type: none"> Noted the first iteration of the Action Plan will be finalised in early 2024 and requested that the governance of advisory groups be clearly articulated in the final action plan.

Item	Resolutions and Actions (Due Date)
<p>5. Accountability</p>	
<p>5.1. Access Reporting Obligations and Consultation Plan</p> <p>Andy Milne introduced the paper and provided an overview. The Board discussion focussed on:</p> <ul style="list-style-type: none"> • The literature research and the findings through data analysis in determining the proposed identified populations. • The timeline for the consultation document to be distributed to relevant population agencies and the consultation period. 	<p>The Board:</p> <ul style="list-style-type: none"> • Agreed Māori and other identified populations being Pasifika, Asian peoples, and disabled people. <p>ACTION: Management to circulate an early draft of the Consultation document for the Board’s feedback before the Christmas break, noting the finalised consultation document will be presented for Board approval at its meeting on 26 January 2024.</p>
<p>[Name withheld] joined the 12.45pm.</p>	
<p>5.2. Service Agreement Measures 2024/25</p> <p>Andy Milne introduced the paper and provided an overview. The Board discussion focussed on:</p> <ul style="list-style-type: none"> • The changes to the Service Agreement 2024/25 measures (SA25) noting that the measures to be removed would provide possibilities for the creation of new measures that align to Huakina Te Rā. • [s 9(2)(g)(i)] • The alignment of Mana Taurite Equity into other goals of Huakina Te Rā and clarity on its connection to the Te Kāpehu Whetū section of Rangatiranga, which underpins the tangata whenua outcomes of Huakina Te Rā. 	<p>The Board:</p> <p>[s 9(2)(g)(i)]</p> <ul style="list-style-type: none"> • [Redacted] <ul style="list-style-type: none"> • Noted that the draft SA25, including final measures with proposed targets, will be provided to the Board at the March 2024 meeting for review and endorsement.

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Item	Resolutions and Actions (Due Date)
	<p><u>ACTIONS:</u> Management to:</p> <ul style="list-style-type: none"> • Report back in April 2024 on how visibility will be provided on progress of business customer and provider satisfaction. • Detail the definition of the new actuarial movement measure, including the influenceable change in Outstanding Claims Liability in April 2024.
<p>[Name withheld] and [Name withheld] left the meeting. The Board took a short break for lunch at 1:00pm.</p>	
<p>Lunch</p>	
<p>The Board returned from lunch at 1:20pm.</p>	
<p>6. Performance</p>	
<p>6.1. Update on Performance ahead of Q2</p> <p>Megan Main, Andy Milne and Amanda Malu provided an overview. Stewart McRobie provided a verbal update on the November financials, noting that the financial statements is being finalised and will be circulated to the Board.</p> <p>The Board discussion focussed on:</p> <ul style="list-style-type: none"> • The targeted and prioritised work programme for 2024, which focuses on injury prevention embedding Rehabilitation Improvement Group (RIG) and the Health Commissioning Review that will provide the findings for addressing system improvements and efficiencies. The next update will be reported to the Board in March 2024. • Evidence of positive change through the key operational markers (green shoots) that are beginning to show in 	<p>The Board:</p> <ul style="list-style-type: none"> • Noted the update. • Noted the Q2 performance report will be presented to the Board for approval at its 26 January 2024 meeting.

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<p>weekly compensation payment and reduction in complaints.</p> <ul style="list-style-type: none"> The positive changes will take some time before they come through in the Service Agreement performance results, and this should be noted in the narrative of the Q2 Performance Report. 	
<p>[Name withheld] [Name withheld] <i>left the meeting at 1.30pm.</i></p>	
<p>7. Policy, Governance and Other</p>	
<p>7.1. Fineos Cloud – Master Service and Customer Agreement</p>	<p>The Board agreed to defer consideration of this item.</p> <p><u>ACTION:</u> Management to bring this item back to the Board in February 2024.</p>
<p>[Name withheld] <i>joined the meeting at 1.33pm.</i></p>	
<p>7.2. Health Worker Pay Equity - Allied Health, Technical and Scientific Settlement</p> <p>Tane Cassidy introduced the paper outlining the increase in contracted rates following the settlement of the allied health, scientific and technical pay equity claim.</p>	<p>The Board:</p> <ul style="list-style-type: none"> Approved a price uplift of [s 9(2)(f)(iv)] per annum across ACC's contracted services affected by the allied health, technical and scientific pay equity settlement, with associated increases to the whole of life costs and an outstanding claims liability impact of approximately [s 9(2)(f)(iv)]. Delegated authority to the Chief Executive to sign any required contract variations.
<p><i>Tane Cassidy and [Name withheld] left the meeting at 1:40pm. [Name withheld] joined the meeting.</i></p>	
<p>7.3. Remuneration and Reward Initiative</p> <p>Michael Frampton introduced the paper and provided an overview. The Board discussion focussed on:</p> <ul style="list-style-type: none"> The investments that need to be made in FY23 24 to change the remuneration approach to protect workforce 	<p>The Board:</p> <ul style="list-style-type: none"> Noted the context of our remuneration and reward review. Noted the direction underpinning our remuneration and reward approach from FY24 25.

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Item	Resolutions and Actions (Due Date)
<p>capacity and improve near-term performance and deliver the strategic intentions of Huakina Te Rā.</p> <ul style="list-style-type: none"> • The value of moving towards a hybrid remuneration model that provides annual increases based on capability and performance. • The ACC benefit offerings against similar public sector organisations noting the equity issue in relation to parental leave and the financial implications of providing paid parental leave. 	<ul style="list-style-type: none"> • Approved adjustments to the current remuneration approach and associated investment that provide a foundation for the new direction by addressing issues of equity. • Endorsed the implementation of paid parental leave from FY24 25, subject to further consideration. • Approved the proposed principles underpinning the approach to remuneration and reward from FY24 25, noting that Board approval is required to enable the bargaining to commence in February 2024.
<p>Michael Frampton and [Name withheld] left the meeting at 1:55pm.</p>	
<p>8.</p>	<p>Conclusion</p>
<p>8.1. Board Work Programme and Next Meeting</p> <p>The Chair thanked the Board and Management for their work and support, and Rēnata Blair led the karakia to close the meeting.</p>	<p>The Board noted the Board Work Programme.</p> <p>ACTION: The Secretary to schedule an out of cycle meeting on 26 January 2024 for the Board to approve the Q2 Performance Report and the Consultation document for access reporting.</p>
<p>Megan Main, Rēnata Blair, Amanda Malu, Stewart McRobie, Andy Milne, [Name withheld], [Name withheld] and [Name withheld] left the meeting at 2:00pm.</p>	
<p>9.</p>	<p>Board Only Meeting</p>
<p>9.1. Review Actions to be taken</p>	
<p>9.2. Meeting Evaluation (Reflections and Feedback)</p> <p>Bella Takiari-Brame provided her evaluation of the meeting.</p>	

IN CONFIDENCE

Item		Resolutions and Actions (Due Date)
10.	For Information (Discussion by Exception)	
10.1.	Media and Engagement	The Board noted the update.
10.2.	External Assurance Review of Cyber Security (via RAAC)	The Board noted the paper.
10.3.	Cyber Security Incident Framework (via RAAC)	The Board noted the paper.
10.4.	Q1 Privacy including Close Down Review	The Board noted the paper.
Meeting Close: 2pm		