Customer Advisory Panel – Accident Compensation Scheme
Terms of Reference – April 2018

Purpose

1. The Customer Advisory Panel - Accident Compensation Scheme Advisory Panel (the Scheme Advisory Panel) is a joint Stakeholder Reference Group of the Accident Compensation Corporation (ACC) and the Ministry of Business, Innovation and Employment (MBIE).

2. The Head of Strategy, Policy and Research (ACC) and the Manager, Accident Compensation Policy (MBIE) jointly established the Scheme Advisory Panel on 1 July 2018 to contribute to the continuous improvement of the design of the Accident Compensation Scheme (the Scheme). The Scheme Advisory Panel is intended to provide input and support for Scheme policy development.

3. The Scheme Advisory Panel will be active for 24 months, effective from 1 July 2018. The Head of Strategy, Policy and Research (ACC) and the Manager, Accident Compensation Policy (MBIE) may extend the duration of the Scheme Advisory Panel by amending these Terms of Reference and recording the extension with the Corporate Secretariat.

Governance

4. These Terms of Reference and ACC’s corporate policies govern the Scheme Advisory Panel.

Delegations

5. The Scheme Advisory Panel does not hold any delegations and has no authority to make decisions or commitments on behalf of ACC or MBIE.
Panel role and responsibilities

6. The Scheme Advisory Panel will provide input to policy development for the Scheme. In order to do this, it is anticipated that the Panel will have the following four broad roles:

a. Horizon scanning – provide input on changes in the external environment that the Scheme may need to respond to. This may include identifying trends (for example, demographic, health, social and labour markets) that may impact on the Scheme in the medium-to-long term horizon.

b. Identifying systemic issues – identifying relevant issues in terms of the Scheme’s design that Panel members consider need to be addressed and/or opportunities that could be progressed, and providing input to policy development priorities.

c. Scheme health check – providing broad-stakeholder input to understand Scheme performance, whether the Scheme is applying best evidence-based design and practice, and is delivering intended outcomes.

d. Testing specific policy or Scheme changes – providing sector input on specific policy changes or projects that have Scheme-wide effects.

Confidentiality and good faith conduct

7. Members, ACC and MBIE will conduct their dealings with each other and other officials or stakeholders who may, from time-to-time contribute to the Scheme Advisory Panel’s work, in good faith and in accordance with ACC’s customer Panel membership guidelines and the State Service’s Code of Conduct. The Scheme Advisory Panel Membership Guidelines and the State Service’s Code of Conduct should be read and referred to alongside these Terms of Reference.

8. The Scheme Advisory Panel is being established to provide an input to MBIE and ACC’s policy advice. The business of the Scheme Advisory Panel meetings and engagement outside formal meetings (e.g. through video conference, online discussion boards) is confidential between ACC, MBIE and Panel members. Members may comment publicly on the work of the Scheme Advisory Panel, with the prior approval of ACC and MBIE.

9. One of the valuable features of a Panel with broad membership is the connections that members will have to relevant professional networks. Subject to prior written approval of ACC and MBIE and individual members’ Terms of Appointment, members may share information obtained through their membership of the Scheme Advisory Panel with others in their network for the purpose and solely to the extent necessary for the conduct of the business of the Panel.
Membership roles and appointment

10. ACC and MBIE will appoint the members of the Scheme Advisory Panel, following an Expression of Interest process. It is expected the Panel will have no more than 12 members that represent a broad range of ACC sector viewpoints (e.g. academia, community, provider, business customers).

11. Members will be appointed against a set of published membership criteria (described in the Scheme Advisory Panel Membership Guidelines), which will ensure that the Scheme Advisory Panel has the necessary skills, knowledge, and experience to fulfil its purpose and carry out its roles and responsibilities.

12. Each member will be appointed for a term of 12 months, which may, if MBIE, ACC and the member agree, be renewed for a further 12 months.

13. Members are appointed to the Scheme Advisory Panel by a Letter of Appointment signed by the Head of Strategy, Policy and Research (ACC) and the Manager, Accident Compensation Policy (MBIE). The Letter of Appointment establishes the member’s role, explains their duties and sets any remuneration they may receive in accordance with the Cabinet Fees Framework for Members Appointed to Bodies in which the Crown has an Interest (Cabinet Office Circular CO (12) 6).

14. ACC and MBIE reserve the right, following discussion and reasonable notice to Panel members, to change any aspect of the Scheme Advisory Panel membership composition and membership terms as they see fit.

Members’ responsibilities

15. Members will attend all Scheme Advisory Panel meetings and any meetings of agreed sub-groups of Panel members. If a member is unable to attend for any reason, they must provide reasonable notice to the Head of Strategy, Policy and Research (ACC) or the Manager, Accident Compensation Policy (MBIE).

16. Members may also be required to perform tasks or accept responsibilities as required and agreed by the member and the Scheme Advisory Panel.

Chair responsibilities

17. ACC and MBIE will select a Panel chair who will act as a key liaison point between ACC, MBIE and Panel members. Panel members can indicate, through the expression of interest process, if they would like to be considered for the Panel chair.

18. It is expected that meetings will be primarily facilitated by ACC and/or MBIE staff members (or an independent facilitator, for example a design thinking practitioner) alongside the chair.
19. The chair’s responsibilities will be to:

a. support effective and efficient running of the meetings
b. encourage and model open communication where all members contribute effectively to Panel meetings or other forms of engagement
c. work with ACC and MBIE officials on meeting agendas, forward meeting plan, minutes and post-meeting communication, and
d. if required, represent the Scheme Advisory Panel in agreed meetings with the ACC Executive, the ACC Board, or the Minister for ACC.

Meetings and Panel ways of working

Working as part of a customer community

20. ACC and MBIE would like to promote a flexible way of working with Panel members. It is expected that engagement over the course of a year could include meetings or workshops of the full Scheme Advisory Panel, meetings or workshops with relevant sub-groups of Panel members, and engagement through other forms (e.g. video conference, online discussion boards), depending on the purpose or subject of the engagement.

21. The Scheme Advisory Panel operates as part of a community of Customer Panels. From time to time, members from across different Panels may be brought together to work on issues that require skills and experience of members across a number of Panels, or to contribute to the work of the Scheme Advisory Panel. Scheme Advisory Panel members may be requested to contribute to other Panels on specific issues if available. The other Customer Panels include:

a. Legal Representatives Panel
b. Older Peoples’ Advisory Panel
c. Serious Injury Advisory Panel
d. Sexual Violence Advisory Panel

22. It is expected, in particular, that there will be a working relationship between the Scheme Advisory Panel and the Legal Representatives Panel. Panel members may be brought together to work jointly on issues where there is clear common interest (e.g. any broad policy or legislative change on reviews and appeals, development of policy proposals in response to a key Court decision). In other cases, issues may be raised in one Panel context but considered more appropriate to be progressed by the other, in which case, ACC and MBIE, as co-convenors of the Panel, will work together to coordinate where work is best done.
Engagement with ACC and MBIE teams

23. In order to facilitate high quality engagement, ACC and MBIE staff members may attend meetings by invitation to facilitate or contribute to discussions.

24. Any other parties may be invited by the Head of Strategy, Policy and Research (ACC) and/or the Manager, Accident Compensation Policy (MBIE) to attend meetings or part thereof. Other parties who have been invited to attend a Scheme Advisory Panel meeting may be asked to withdraw for all or any part of any meeting.

Frequency of meetings

25. The Scheme Advisory Panel will have up to two scheduled meetings for the full Panel per year. Additionally, meetings of a sub-group of Panel members (for example, a sub-group convened to progress work on a specific issue) may also be required.

26. ACC will also explore opportunities for engagement with Panel members outside of formal meetings (for example, video conference, online tools) in order to progress Panel business in a timely way.

Meeting administration

27. A quorum is required in order for the Scheme Advisory Panel to conduct business.

   a. The requirement for a quorum will be met if a majority of Scheme Advisory Panel members (or a majority of members of an agreed sub-group) can attend.

   b. Members may attend meetings in person or by electronic means where appropriate and available.

28. The Head of Strategy, Policy and Research (ACC) and the Manager, Accident Compensation Policy (MBIE) will provide members with notice of meetings at least four weeks before the next scheduled meeting, and notice of cancellation at least one week before the scheduled meeting.

Remuneration

29. Members will be remunerated in accordance with the Cabinet Fees Framework for Members Appointed to Bodies in which the Crown has an Interest (Cabinet Office Circular CO (12) 6). The Scheme Advisory Panel is classified as a “Group 4: All Other Committees and Other Bodies”. The remuneration rate includes preparation time.
30. Each member will receive $575 (including GST) per attendance at scheduled full day meetings of the Panel. The chair will receive $748 (including GST) per attendance at full Panel meetings. The rate reflects the chair’s additional responsibilities as outlined in the Terms of Reference.

31. Attendance at workshops outside of scheduled Scheme Advisory Panel meetings will be remunerated on a pro rata basis of the full Panel meeting rate, as per the table below.

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<thead>
<tr>
<th></th>
<th>Full day Panel meeting (inc GST)*</th>
<th>Workshop/design session (inc GST)*</th>
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<tbody>
<tr>
<td>Panel member</td>
<td>$575</td>
<td>1 hour: $72</td>
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<tr>
<td></td>
<td></td>
<td>2 hours: $144</td>
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<td></td>
<td></td>
<td>Half day: $288</td>
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<tr>
<td>Chair</td>
<td>$748</td>
<td>1 hour: $93.50</td>
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<tr>
<td></td>
<td></td>
<td>2 hours: $187</td>
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<td></td>
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<td>Half day: $374</td>
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* Includes preparation time

32. Member remuneration costs will be met by ACC, and ACC will make payment of these fees to the member’s organisation or individuals on agreed terms.

33. ACC will meet costs and arrange and book all travel (flights, taxis etc.) and accommodation at public sector rates for members, where necessary.

**Reporting**

34. Minutes will be kept of all scheduled Scheme Advisory Panel meetings and distributed to members.

35. Scheme Advisory Panel members must refer any matters of significant importance that may affect the integrity of the group to the Head of Strategy, Policy and Research (ACC) and the Manager, Accident Compensation Policy (MBIE) for their consideration and escalation if required.