

17 June 2022

[REDACTED]

Kia ora [REDACTED]

Your Official Information Act request, reference: GOV-014935, GOV-015717

Thank you for your emails of 28 October and 30 November 2021, asking for the Board minutes for September and October 2021, respectively.

On 18 February 2021, we notified you of our decision to grant your request. I apologise that we were not able to complete our response within a more reasonable timeframe.

Please find attached the September and October 2021 Board minutes

Attached are copies of approved board minutes for September and October 2021. We have withheld some information under the following grounds:

- 9(2)(f)(iv) – to maintain the constitutional conventions that protect the confidentiality of advice
- 9(2)(h) – to maintain legal professional privilege.

We have considered the public interest with respect to the information withheld and are of the view it does not outweigh the interests being protected.

We have also redacted the names of individuals, except Board members and Executive staff, noting your email of 18 May 2022 confirming you did not require this information.

As this information may be of interest to other members of the public

ACC has decided to proactively release a copy of this response on ACC's website. All requester data, including your name and contact details, will be removed prior to release. The released response will be made available www.acc.co.nz/resources/#/category/12.

If you're concerned about this response, please get in touch

You can email me at GovernmentServices@acc.co.nz.

If you are not happy with this response, you can also contact the Ombudsman via info@ombudsman.parliament.nz or by phoning 0800 802 602. Information about how to make a complaint is available at www.ombudsman.parliament.nz

Ngā mihi



Sara Freitag
Acting Manager Official Information Act Services
Government Engagement & Support



**MINUTES ACC FULL BOARD MEETING
THURSDAY 30 SEPTEMBER 2021, 8.30AM TO 3.15 PM
MICROSOFT TEAMS**

IN ATTENDANCE

Board Members	<ul style="list-style-type: none"> • Steve Maharey – Chair • James Miller – Deputy Chair • Tracey Batten – Member • Helen Nott – Member • Pat Bowler – Member • Bella Takiari-Brame – Member • Mark Cross – Member (partial attendance) • David Hunt – Member
ACC Staff	<ul style="list-style-type: none"> • Mike Tully – Acting Chief Executive • John Healy – Chief Financial Officer • Vanessa Oakley – Chief General Counsel (Secretary) • Emma Powell – Chief Customer Officer • Herwig Raubal – Chief Risk and Actuarial Officer • Michelle Murray – Tume Pae Ora • Gabrielle O’Connor – Acting Chief Operations Officer • Peter Fletcher – Chief Technology & Innovation Officer • Cain McLeod – Acting Chief Talent Officer • Outside of scope – Executive Advisor • John Robson – Chief Clinical Officer & Head of Health Partnerships • Outside of scope – Head of Privacy • Outside of scope – Head of Operational Performance & Intelligence • Outside of scope – Acting Head of Client Recovery • Outside of scope – Head of Risk & Assurance • Outside of scope – Acting Head of Health, Safety & Wellbeing • Outside of scope – Head of Legal, Scheme & Commercial • Outside of scope – Manager, Litigation • Outside of scope – Head of Customer Systems & Intelligence • Outside of scope – Senior Corporate Secretary

The meeting commenced at 9.00 am with all Board members present.

BOARD ONLY DISCUSSION

No minutes were kept.

Mr Tully, Ms Oakley and Outside of scope joined the meeting at 9.40 am.

The Board commenced with the ACC Karakia.



BOARD ADMINISTRATION

1. Apologies

Mr Cross sent apologies for part of the meeting.

2. Register of Key Interests

CONFIRMED: The Board reviewed the Register of Key Interests and confirmed 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.

3. Minutes of Meeting Held on 29 July 2021

The Board approved the 29 July 2021 minutes as a true and accurate record of that meeting with a typographical spelling error to be corrected.

4. Board Actions

The Board discussed the actions noting that:

- October strategy day included education.
- The annual plan will include site visits and be included in future Board packs.
- Item 11 also informs clarity for insurance consideration ahead in Board planners.
- Item 14 needs a due date.

COMMITTEE UPDATES

5. Investment Committee

Mr Miller informed the Board that the Committee:

- Reviewed the Strategic Asset Allocation Plan and, made some changes.
- Undertook portfolio reviews.
- Noted that overall performance overall to the end of August was slightly behind. By the end of mid- September, it was slightly ahead.
- Discussed Climate Change Commitments.

The Board approved on recommendation of the Committee that:

- ACC sign the Paris Investor Initiative Net Zero Asset Owners Commitment on recommendation of the Board Investment Committee.

There was a general discussion on inflation rates and the wider environment.

6. Risk Assurance and Audit Committee

Ms Takiari-Brame provided a report back including that the Committee:

- Discussed the EY report and investment valuations.



- Discussed the actuarial view of the OCL and client centricity considerations around sensitive claims. Management is to respond at the next RAAC.
- Approved the internal audit plan.
- Discussed the risk report and proposes an insurance induction for new Board members.
- Received a cyber update.
- Reviewed the financial condition report and other noting papers.
- **Recommends to the Board, as appears later on the agenda, that it approve:**
 - o 2020/21 Financial Statements (including the Going Concern note) and Statement of Performance;
 - o The Statement of Responsibility; and
 - o The letter of representation from the Board to the external auditors.

The Board made enquiries and Management responded. This included discussion on:

- Whether a subsequent event note was needed regarding Covid. The Board was advised it was not.
- Whether the external auditors had raised any issues regarding funding ratios or going concern. The Board was informed they did not.
- Whether the RAAC had time without Management present. The Board was advised that they did.

7. HSS Advisory Committee

Dr Batten reported back to the Board on this Committee including that:

- All external members have been re-appointed for a period of up to two years.
- Six topics were covered and, there is a paper for the Board today.
- Management have developed a claims process from the client view.
- The concussion pathway for primary care and how to get a better automated process to secondary care was discussed. Management are seeking to get engagement from PHOs.

CHAIR AND CE UPDATES

8. Chair Update

The Chair informed the Board that he has had discussions with:

- The Minister and her office.
- Treasury on the skills matrix and a potential new member of the Board.
- Worksafe.
- Injury Prevention.

9. Chief Executive's Report

Mr Tully spoke to his report and discussed Social Unemployment Insurance (SUI) work.

The Board had a general discussion including:

- The potential impacts or reactions of business in relation to SUI.
- Seeking clarity for governance and policy at Ministerial level for SUI.
- How ACC staff are working in the current alert levels.



The Board **took a short break** at 10.50 am.

KEY PAPERS

The Board **reconvened** at 10.55am.

The Board (excluding Mr Cross), Ms Oakley, Mr Tully and ^{Outside of scope} remained in attendance. Mr Healy, Ms Powell, Mr Raubal, Ms Murray, Ms O'Connor, Mr Fletcher, Mr McLeod, ^{Outside of scope} and Dr Robson joined the meeting.

10. HSS Quarterly Update

Dr Robson talked to the paper.

The Board discussed:

- The ethnicity breakdown and the potential for a further breakdown of “non-Maori” for other ethnicities.
- The need for a policy on the use of Maori language. Management advised that a plan is being built.
- The e-channels work and its interplays with data centre closure work.
- The ability of providers to connect with the provider hub.
- The potential for feedback and measurement of provider views in future reports.
- Escalated care pathways.
- The need for a provider engagement strategy with timeframes for NTS improvements.
- That a medium-term roadmap was an outstanding action from an IQA. Management will provide it at the next meeting. One of three goals is to increase the trust and confidence of providers.

The Board noted the contents of this pack.

Dr Robson left the meeting at 11.40 am.

11. Annual Report – Final Draft

Mr Healy spoke to the paper and highlighted that:

- The Management representation letter will be updated to today’s date.
- No substantive changes or material items are known as at today. The same question was asked of Board Members.
- It is understood that the Government intends to publish consolidated Crown accounts on 12 October.

The Board made enquiries and discussed a range of matters including:

- The announcements for legislative changes with birthing injuries and, the Covid situation. Mr Healy and Mr Raubaul advised that these matters are not material as adjusting events. They are also not likely to be material on a forward-looking basis. It was noted that policy design and detail was still to occur for the announced proposed legislative changes.
- Petrol levies. **ACTION: The Board requested a paper in 2022 on petrol levies and interplays with climate change. It should include an assessment of what other agencies are doing.**
- How the Annual Report might be utilised in the future as a communication.



- The timing of the levy consultation with the Annual Report release.
- Environmental, Social and Governance matters.

The Board:

- **Approved** on recommendation of the Risk Assurance and Audit Committee (RAAC):
 - 2020/21 Financial Statements (including the Going Concern note approved by RAAC) and Statement of Performance;
 - The Statement of Responsibility; and
 - The Letter of Representation at **Annex 1** from the Board to the external auditors (noting the signed letter of representation to the Board from the Chief Financial Officer and Acting Chief Executive at **Annex 2**).
- **Approved** the Annual Report 2021 at **Annex 3** which incorporates the aforementioned Financial Statements, Statement of Performance and Statement of Responsibility.
- **Delegated** to the Chair and Deputy Chair the authority to:
 - **Sign** the letter of representation to the external auditors on behalf of the Board;
 - **Sign** all relevant parts of the Annual Report;
 - **Approve** any changes, if needed, to the final Annual Report.

12. Privacy Update

Outside of scope joined the meeting at 11.55 am.

Ms Oakley informed the Board that Outside of scope had joined several months ago. He is now confirmed as the permanent Head of Privacy.

Outside of scope spoke to the paper and responded to questions. It was noted that:

- There was an active culture of reporting into the privacy team.
- It is intended to bring in an objective review of privacy maturity in the months ahead.

The Board noted the contents of this paper.

The Board **stopped** for lunch at 12.20.

The meeting **resumed** at 1.00 with all Board Members present and Mr Tully, Ms Oakley, Mr Healy, Ms Powell, Mr Raubal, Ms Murray, Ms O'Connor, Mr Fletcher, Mr McLeod, Mr

Outside of scope and Outside of scope.

REGULAR REPORTING

13. Performance Update

Mr Healy and Outside of scope introduced the paper.

The Board made enquiries and discussed the following:

- The claims volume and patterns in current alert levels and the operational implications. Management advised that the changes in claims volumes balances out with ACC capacity (which drops as a result of reduced productivity).
- More guidance from Management was needed on the right things to focus on.
- The overdue tasks relating to workload on page 258 and FTE on page 261. Management advised that of the four priorities of tasks, focus should be on priorities 1 and 2. Priority 1 tasks have reduced from 11,500 to 4,000. The same trend is occurring



for priority 2 tasks. Work is therefore close to being “up to date” and, there is a strong focus on forward recruitment.

- Why the trust scores were “green”. Management advised that there is no information to indicate otherwise. There is some more analysis and work to occur ahead.

The Board noted the performance information for August 2021.

Outside of scope and Outside of scope left the meeting at 1.28 pm. Ms Werohia joined the meeting.

14. Quarterly Enterprise Risk and Compliance Report

Mr Raubal introduced the paper.

The Board discussed:

- The need for awareness of potential risks from Board and Management changes.
- What Value Stream Boards are.
- That cyber risk in the report is about understanding the impact of cyber events for business continuity and not about vulnerabilities to cyber attacks. Further business continuity work is being presented to the RAAC in November.
- That a portfolio approach to “boundary issues” be considered ahead.
- Social inflation.

The Board noted the report.

Outside of scope left the meeting at 1.50 pm.

15. Health, Safety and Wellbeing Report

Mr McLeod introduced the paper.

The Board discussed:

- The opportunity for a deeper dive into workload stress incidents which is to be discussed with the Chair of the People and Remuneration committee.
- The CEO will discuss the workplace investigation noted in the report with the Chair.
- Management is working to alignment with the public sector on workplace vaccinations, both for staff and those who visit clients.
- The usage of EAP.

The Board noted the contents of this paper.

16. Health, Safety and Wellbeing Policy

Mr McLeod informed the Board and highlighted that the policy was people centric and the changes proposed were minor.

The Board discussed:

- Whether any ACC staff member is empowered to stop work or only health and safety representatives. Management advised that in practise it was any staff.
- Whether that is obvious to staff and how it interplays with the whistleblowing.



The Board approved the Health, Safety and Wellbeing policy attached as Appendix 1 to this paper.

Outside of scope left the meeting at 2.12pm. Outside of scope and Outside of scope joined the meeting.

17. Monthly Litigation Report

The Board was provided with an overview of the matters in the report, a verbal update on the strategic litigation review and that a more fulsome update will be provided in December.

The Board noted the contents of this paper and that updates compared to last month are in RED font.

Outside of scope and Outside of scope left the meeting at 2.26pm. Outside of scope joined the meeting.

18. Policy Update

The Board noted the update, it's earlier discussion on the need for a portfolio approach and earlier discussion.

The Board noted the contents of this paper.

Outside of scope, Ms Powell, Ms O'Connor and Mr McLeod left the meeting at 2.36pm. Mr Healy and Outside of scope left them meeting at 2.50pm.

APPROVALS

19. Governance Refresh

Ms Oakley spoke to the paper, ^{9(2)(h)}

The Board guided the following for the finalisation of this update to the Board Manual:

- Quarterly “interests” prompts are intended moving ahead.
- Where no remuneration was involved, appointments to ACC investment vehicles be agreed by the Board Investment Committee and Investment Group.
- “Wellbeing” should be flowed throughout the health, safety and wellbeing section in the Board Manual.
- Wording relating to ACC’s practise of ratifying out of cycle resolutions be included for clarity.

The Board:

- **Approved** the revision of the Board Governance Manual (noting it includes Nomination and Corporate Governance matters that were formally in the Governance and Remuneration Committee) at **Appendix A**, with the feedback discussed to be incorporated.
- **Delegated** to the Chief General Counsel the ability to make non-material changes to the Board Governance Manual, with notice to the Board when any changes are made.
- **Approved** the revised Terms of Reference for the People and Remuneration Committee (previously, the Governance and Remuneration Committee) as in **Appendix B**.



- **Ratified** the members of the Governance and Remuneration Committee (to be, the People and Remuneration Committee) from 1 July 2021 as Dr Tracey Batten (Chair), Mr Pat Bowler and Mr James Miller.
- **Approved** the new Terms of Reference for the Social Unemployment Insurance Committee at **Appendix C**.
- **Approved** the members of the Social Unemployment Insurance Committee as Hon. Steve Maharey, Mr Pat Bowler and Dr Helen Nott and, noting that a Chair of that Committee would be determined subsequently.
- **Ratified** Dr Helen Nott as a member of the Health Sector Strategy Advisory Committee from 1 July 2021.

GENERAL BUSINESS

20. Out of Cycle Approval

The Board ratified the out of cycle approval from 26 September 2021.

21. Observations and Feedback

Mr Hunt provided observations and feedback.

Closure: The meeting closed with a karakia at 3.10pm.

Approved

Chair Name:

Date:

Chair Signature:



**MINUTES ACC FULL BOARD MEETING
THURSDAY 28 OCTOBER 9AM-5.45PM
WELLINGTON BOARDROOM / MICROSOFT TEAMS**

IN ATTENDANCE

<p>Board Members *Microsoft Teams</p>	<ul style="list-style-type: none"> • Steve Maharey – Board Chair • James Miller* – Board Deputy Chair • Tracey Batten* – Board Member • Bella Takiari-Brame* – Board Member • Pat Bowler – Board Member • Helen Nott* – Board Member • Mark Cross* – Board Member • David Hunt* – Board Member
<p>ACC Staff</p>	<ul style="list-style-type: none"> • Mike Tully – Acting Chief Executive Officer • Cain McLeod – Acting Chief Talent Officer • Emma Powell – Chief Customer Officer • Herwig Raubal – Chief Risk and Actuarial Officer • John Healy – Chief Financial Officer • Michelle Murray* – Chief Māori and Equity Officer • Peter Fletcher* – Chief Technology and Innovation Officer • Sharon Champness – Executive Lead – Employment Insurance • Vanessa Oakley* – Chief General Counsel • Gabrielle O'Connor – Acting Chief Operations Officer • [Redacted] – Senior Corporate Secretariat (Secretary) • John Robson – Chief Clinical Officer & Head of Health Partnerships • [Redacted]* – Cultural Capability Partner • [Redacted]* – Head of Equity Strategy and Delivery • [Redacted]keth – Manager, Policy • [Redacted] – Head of Levies • [Redacted] – Head of Actuarial • [Redacted] – Manager, Strategic Integration • [Redacted] – Head of Operational Performance & Intelligence • [Redacted] – Head of Client Recovery • [Redacted] – Head of Legal Scheme & Commercial



The meeting commenced at 9.00am with all Board members present.

BOARD ONLY DISCUSSION

Mr Tully joined the meeting at 9.07am and Mr McLeod joined the meeting at 9.12am.

The Chair informed the secretary that the following matters were discussed:

- The Chair will contact Treasury about the Terms of Reference for an upcoming review.
- The Board will work with Management on hearing directly from the organisation on culture, and how more information could be provided. An analysis of organisational culture will come back to the Board.
- Management to consider the idea of a Social Media Policy for the workplace.

Mr McLeod left the meeting, Ms Oakley and Outside of scope joined the meeting at 9.52am.

PROCEDURAL BUSINESS

1. Apologies

There were no apologies for the meeting.

2. Register of Key Interests

CONFIRMED: The Board reviewed the Register of Key Interests and confirmed 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.

3. Minutes

The Board approved the September 2021 minutes, subject to marking Ms Takiari-Brame as present.

4. Board Actions

The Chair introduced the actions.

The Board noted the actions.

5. Board Annual Plan

The Chair informed the Board the Annual Plan for 2022 is coming together, and he will work on some suggestions for engagement with stakeholder groups. Time will be set aside for regular strategic discussions. The plan will be finalised prior to Christmas.

The Board noted the Annual Plan.

COMMITTEE UPDATES

6. People & Remuneration

Dr Batten took the Board through the key points from the Committee meeting the previous day. The Board discussed:

- ACC's vaccination policy for staff. Frameworks were being established by WorkSafe and Management has looked at staff groups to form an initial position. ACC should move at the same pace as Te Kawa Mataaho advice. A policy will come to the Board in November.



- The link between ACC’s work on Social Unemployment Insurance and mandatory vaccination policies across different industries.
- The Committee’s focus on ACC culture, which was a part of its 2022 workplan.

The Board noted the update.

7. SUI Committee

Mr Bowler took the Board through the synopsis of the Committee meeting provided on page 12 of Diligent. The Board’s discussion focussed on:

- The many moving parts to the work on Social Unemployment Insurance. The work was entering a phase where ACC’s skill will come to the forefront.
- How clients will be moving from one scheme to the other. Policy settings were being worked on, but this is an area of concern.
- Lessons learned from other jurisdictions and how this will be factored in.
- Currently around 30 ACC staff are involved in the work, but this will likely need to be ramped up quickly.
- Whether ACC branding would be used.

The Board noted the update.

CHAIR AND CE UPDATES

8. Chair Update

The Chair provided an update on his recent work, including meetings with the other CFI Chairs, MBIE, WorkSafe and EY.

The Board noted the update.

9. Chief Executive’s Report

The Board took the report as read, noting its earlier discussion with the Chief Executive.

The Board noted the update.

The Board took a five-minute break at 10.45am and resumed at 10.50am with all Board Members, Ms Oakley and ^{Outside of scope} present. Ms Powell, Mr Raubal, Mr Healy, Ms Murray, Mr Fletcher, Ms Champness, Mr McLeod, Ms O’Connor and Dr Robson joined the meeting.

Mr Tully left the meeting at 10.50am and re-joined at 11.10am.

STRATEGIC DISCUSSIONS

10. HSS Medium Term Roadmap

Dr Robson took the Board through the delivery roadmap. The Board discussed:

- This was a key recommendation from EY IQA report.
- How the medium-term roadmap will be reflected in quarterly reporting to the Board, which would clearly show the progress towards the measurable targets and delivery and the benefit horizon. The Board noted the importance of having early warning on any issues, which would also come through in the Executive’s Quarterly Business Review discussions.
- Measures in the Statement of Intent and Financial Condition Report, which were slightly different but are bridged by the claims cost management report provided to the Risk

Assurance and Audit Committee every quarter. The HSS targets will lead to reductions in the OCL and Management had confidence in the HSS pathway.

- Optionality and risk elements, some of which were outside ACC’s control. Learnings from the sector continued to be gained. ECP is continuing positively with more discussions happening. Management is always looking at where programmes could be brought forward and will continue to update the Board on these through the Quarterly Reporting.
- Presenting the information to show the value for clients and then the monetary impact rather than the other way around.
- The role of the HSS Advisory Committee, which would be discussed by the Board at its December meeting.
- Ongoing work on the provider engagement strategy and gaining early customer insights.

The Board noted the contents of this paper.

11. Ambulance Services

9(2)(f)(iv)

[REDACTED]

The Board:

- Endorsed the strategic principles.
- 9(2)(f)(iv)
- Note the contents of this paper.

Dr Robson left the meeting, and Outside of scope, Outside of scope and Outside of scope joined the meeting at 11.45am.

12. Te Tiriti o Waitangi

Outside of scope started the presentation with a karakia and mihi. The presentation was split into three chapters, and the Board’s discussion focused on:

Chapter 1 – Te Tiriti o Waitangi, presented by Ms Murray

- ACC had come a long way in recent years on its journey towards living Te Tiriti principles, and still had a long way to go, but there is willingness across the organisation.
- The Māori Outcomes Framework, which aims for the experiences for Māori when they come into the organisation to be positive and aligned to what matters most for them.
- Moving from training to immersion to enable different decision making. Te Tiriti o Waitangi training was just the start of the process.
- The recruitment strategy. The Pae Ora group works in collaboration with talent. The action plan includes cultural elements of the recruitment process, guidance on support people attending interviews, support for kaumātua, and removal of qualification barriers. Talent was tracking information at all stages of the recruitment process.
- The Board needs to continue to develop its understanding of the series of Treaty obligations that must be fulfilled, and also ensure that the organisation is living the Treaty principles.

Chapter 2 – Racism, presented by Outside of scope

- The work being undertaken with suppliers through the Māori Health Services team. The Raranga project had developed a set of principles for engagement which would go into contracts, and this was also a significant focus of the health reforms.
- The definition of racism, and how the Board and the organisation can continue to identify and correct behaviours.

Chapter 3 – Equity, presented by Outside of scope

- Metrics tracking for equality vs equity and measuring and understanding outcomes for various cohorts of clients. ACC needed an evidence-based response through engagement with the various communities. The recent stakeholder hui with the Associate Minister provided rich information for ACC and helped with the thinking on the way forward. Management will also maintain a longer list of legislative opportunities.

The Board thanked Management for the in-depth presentation, and asked Management to let the Board know if there was more support needed. Mr Kurei closed the presentation with a karakia.

The Board noted the contents of this paper.

The Board stopped for lunch at 1.20pm.

The meeting resumed at 1.40pm with all Board Members present, Ms Oakley, Mr Healy, Ms Powell, Mr Raubal, Ms Murray, Ms O'Connor, Mr Fletcher, Ms Champness, Outside of scope and Outside of scope. Mr Tully re-joined the meeting at 1.50pm.

KEY PAPERS

13. 2021 Levy Setting Recommendations

Mr Raubal introduced the paper, explaining that it was the Board's role to ensure that the funding policy was applied in its recommendations to the Minister.

The Board approved the proposed levy recommendations to the Minister. The Board discussed the EV levy rate recommendation. Although introduction of an EV levy was not originally proposed, general feedback through the consultation process was supportive of introducing a levy for EVs. The Board wanted to be clear in communications to the Minister that EVs do not currently have a petrol levy applied, and the proposal is to introduce a levy for EVs and to match the EV levy so it is consistent with the application to diesel vehicles.

The Board noted that it would continue to review and discuss the strategic framework around levies for the future.

The Board noted that engagement with Māori stakeholders on the consultation had been limited due to the most recent COVID outbreak, but Management will seek to follow this up in the future.

The Board:

- **Approved** the aggregate levy rate recommendations.
- **Approved** the 2021 levy consultation report.
- **Approved** the proposed levy recommendations to the Minister.
- **Approved** the proposed recommendations to the experience rating system.



Outside of scope left, and Outside of scope joined the meeting at 2.22pm. Mr McLeod re-joined the meeting at 2.30pm.

14. Financial Condition Report

Mr Raubal introduced the Financial Condition Report and took the Board through the recommendations. The Board's discussion focussed on:

- The report is focussed on the pursuit of good client outcomes as well as long-term financial sustainability. Management would look at the identification of investment performance as this is fundamental to the financial reporting of the scheme.
- Progress against the recommendations is reported to the Risk Assurance and Audit Committee.

Ms Oakley explained that she had made recommendations in relation to the resolutions in the paper. The Board endorsed the Financial Condition Report as what will be presented to the Minister to meet its obligations under the Act.

The Board:

- **Endorsed** the Financial Condition Report for presentation to the Minister.
- **Noted** that there are no new recommendations made in this year's reports.
- **Noted** that no recommendations from previous FCRs have been closed this year.

Outside of scope left, and Outside of scope joined the meeting at 2.46pm.

15. Sensitive Claims

Ms O'Connor and Ms Powell took the Board through the presentation, noting that Management will come back to the Board in February. The Board's discussion focussed on:

- Kaupapa Māori and sensitive claims. ISSC was developed before ACC started its Whāia Te Tika journey. Strategic interventions based on Kaupapa Māori commissioning and the evolution of the Māori Outcomes Framework had been made since then and Rongoa and other services now supplement the sensitive claims process. Management was not waiting for the redesign process to implement these within the current system.
- How to foster and encourage trust. Management had undertaken a deep dive with survivors which identified common points across ACC to track towards success.
ACTION: Provide the Sensitive Claims booklet ahead of the Sensitive Claims discussion in February.
- How a client progresses through the sensitive claims pathway in terms of numbers, services provided and outcomes. This is not a start to finish journey, and there is a high rate of reactivations by clients. The final part of the pathway is maintaining wellbeing, which can continue for a long period of time.
- A proactive piece of work was currently underway to look at how sensitive claims were managed in other jurisdictions, particularly when commissioning for outcomes. The Board encouraged Management to consider other services that could be facilitated outside of the usual claims process.

Mr Tully expressed his thanks to Outside of scope for her work in this area.

The Board noted the information referred to in the Storyboard presentation.

Outside of scope left the meeting at 3.30pm. The Board took a short break and returned at 3.35pm, with all Board Members and Management present except Mr Tully, Ms O'Connor and Mr McLeod who re-joined the meeting at 4.00pm.



16. Budget / HYEUFU

Mr Healy introduced the paper. The Board discussed:

- The increasing operating costs related to additional FTEs had been flagged to the Board early and Management was reviewing other things to absorb that increase
- The Risk Assurance and Audit Committee should be involved in the budgeting setting and amendment process, and any revision required to the budget as a result of the increasing operating costs. The budget would be reviewed to further understand what assumptions should be made, and the Risk Assurance and Audit Committee would be involved in this process at its 1 December meeting, ahead of it being provided to the Board.
- The fall in the single effective discount rate and the increase in bond rates was due to a new Government bond rate being issued at a yield lower than previously assumed.
- ICIP benefits. More resources had been invested at the same time claims volumes had dropped.
- The Board suggested Management should run a scenario with higher inflation.

The Board:

- **Noted** the variances in the updated forecasts.
- **Approved** the forecast for the financial years 2021/22 to 2025/26.
- **Noted** that a budget reforecast paper would be provided to the 1 December Risk Assurance and Audit Committee ahead of coming to the Board in December.

REGULAR REPORTING

17. Monthly SUI Update

The Board took the update as read, and appointed Mr Bowler as Chair of the Committee.

The Board:

- **Appointed** Mr Pat Bowler as Chair of the Social Unemployment Insurance Committee, effective from 28 October 2021.
- **Noted** the contents of this paper.
- **Approved** the SUI Committee's endorsements of ACC's request for implementation funding.

Outside of scope and ^{Outside of scope} joined the meeting at 4.02pm.

18. First Quarterly Report

Mr Healy introduced the paper. The Board discussed:

- The customer experience rating. Further information will be provided to the Board in November.
- The return to near normal claims volumes for areas in Level 2, with growth in Auckland and Waikato still suppressed.
- The public NTS. The brand metrics presented in the media report were tracked monthly, and ACC is working with an organisation to track sentiment across the country which would provide some lead indicators ahead of any change to the public NTS. Not publicly announced yet. Board asked that public sentiment tracking information be included in the Weekly Report.
- The key risk register at Appendix 4, which should include SUI and culture although these issues had only recently emerged. A note would be added to reflect this.
- The Board asked Management to include quarterly recruitment numbers in the next report.



- When a metric shows as amber, a number of actions are triggered across the organisation. The monthly Executive performance meeting focussed on amber metrics, as well as the Quarterly Business Review.
- The employee NPS. The PSA was happy with progress ahead of an engagement survey being launched in November. The Executive were beginning virtual site visits the following Monday.

The Board:

- **Approved** the presentation of the first quarterly report (subject to any final changes).
- **Noted** the addition information.

Outside of scope and Outside of scope left the meeting at 4.25pm.

19. Quarterly Report on Kōkiri Whakamua

Ms Murray presented the report. The Board discussed:

- The customer experience rating. Further information will be provided to the Board in November.
- The impact of communicating with Māori stakeholders during Covid. The timelines had not been revised after the most recent outbreak, but this will be done.
- The new Tumu Pae Ora structure had almost all roles filled and was working well across the organisation.

The Board noted the contents of this paper.

20. Monthly Health, Safety and Wellbeing Update

Mr McLeod introduced the update. The Board discussed the form of the report, noting that more information would be included in future for the Board's information, particularly as the Board is unable to conduct site visits in the current environment.

The Board noted the contents of this paper.

Outside of scope joined the meeting at 4.42pm, left the meeting at 4.55pm and and re-joined the meeting at 5.08pm after other Management had left.

21. Monthly Litigation Update

Legally privileged

9(2)(h)

The Board:

- 9(2)(h)
- **Noted** the contents of this paper.



22. Monthly Policy Update

Ms Powell explained that the budget information outlined in the paper was now not relevant.

ACTION: Update the Policy Update and recirculate to the Board for out of cycle consideration.

The Board noted the contents of this paper.

Mr Tully, Ms Oakley, Mr Healy, Ms Powell, Mr Raubal, Ms Murray, Ms O'Connor, Mr Fletcher, Ms Champness and Mr McLeod left the meeting at 4.55pm.

23. [New] Monthly Media Update

The Board noted, without Management present, that this was a useful report and the Chair asked for any feedback to be provided direct to Ms Powell.

The Board noted the contents of this paper.

GENERAL BUSINESS

24. Power of Attorney

The Board approved the staff identified in the Deed but asked whether it could be extended for longer than one year.

The Board:

- **Approved** the updated Deed Granting Power of Attorney.
- **Authorised** the Board Chair and Deputy Chair to execute the Deed.

25. Any other business

The Board disestablished the Nominations Committee, and thanked Mr Miller for his work as Chair of this Committee.

26. Feedback and observations

Mr Cross reflected on the meeting, noting that it was long but that the Board papers were clear and concise. The Board discussed rearranging the agenda slightly to group genuine noting papers together.

Closure: The meeting closed at 5.30pm.

Approved

Chair Name: Hon Steve Maharey

Date: 1 December 2021.....Chair Signature: