



Conciliation and Arbitration Services Status Report

June 2018

Data used in this biannual report was extracted from the WorkCover WA DCMS database on 9 July 2018 and reflects dispute activities that occurred up to June 2018.

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Introduction

Citation



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Background

Conciliation and Arbitration services provided by WorkCover WA

One of WorkCover WA's major functions is to resolve disputes between parties in the workers' compensation system, either through conciliation or arbitration.

Report content

This report presents the status of key elements of the Conciliation and Arbitration services and encompasses activity within the system up to June (Q4) 2017/18.













The report is presented in three sections:













- 1. Conciliation Service:** detailed information presented in charts and graphs about activity within the Conciliation Service by financial quarter/year.
- 2. Arbitration Service:** detailed information presented in charts and graphs about activity within the Arbitration Service by financial quarter/year.
- 3. Hearings held:** detailed information presented in charts and graphs regarding hearings held or completed by financial quarter/year.

Data source for this report

The data used in this report is obtained from WorkCover WA's Dispute Case Management System (DCMS).

Quarter in Review (2017/18 Q4)

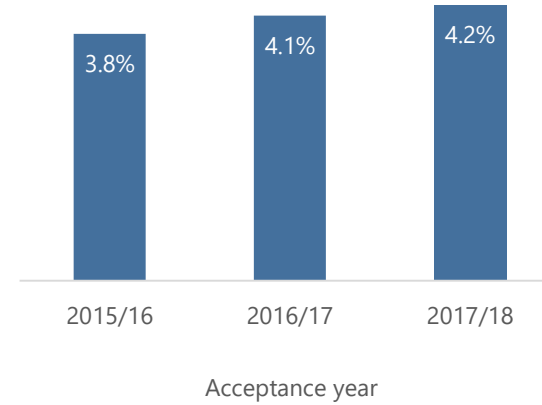
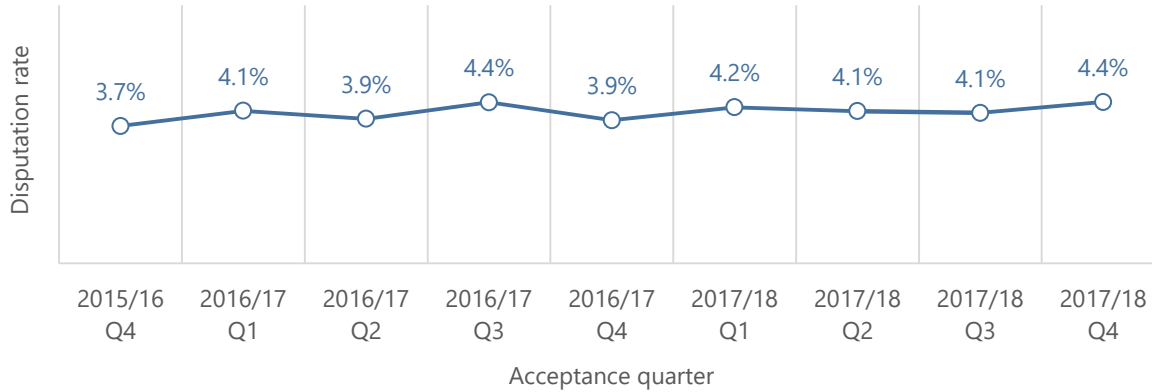
#	Indicators	Compare with same quarter last year	Reference
1.1	Disputation rate	2016/17 Q4  3.9% 2017/18 Q4  4.4%	p.5
1.2	Number of accepted conciliations	2016/17 Q4  496 2017/18 Q4  530	p.5
1.3	Number of completed conciliations	2016/17 Q4  524 2017/18 Q4  531	p.6
1.5	Median days to complete conciliations	2016/17 Q4  33 2017/18 Q4  27	p.7
1.6	Conciliations with subsequent arbitrations	2016/17 Q4  150 2017/18 Q4  139	p.8
2.1	Number of accepted arbitrations	2016/17 Q4  158 2017/18 Q4  131	p.10

#	Indicators	Compare with same quarter last year	Reference
2.2	Number of completed arbitrations	2016/17 Q4  137 2017/18 Q4  149	p.10
2.4	Median days to complete arbitrations	2016/17 Q4  134 2017/18 Q4  179	p.11
3.1	Number of hearings held	2016/17 Q4  496 2017/18 Q4  436	p.13
3.4	Days between arbitration acceptance and first hearing	2016/17 Q4  35 2017/18 Q4  35	p.16
3.6	Days between acceptance and first formal arbitration hearing	2016/17 Q4  207 2017/18 Q4  173	p.17
3.8	Days between last formal arbitration hearing and completion	2016/17 Q4  37 2017/18 Q4  59	p.18

Conciliations

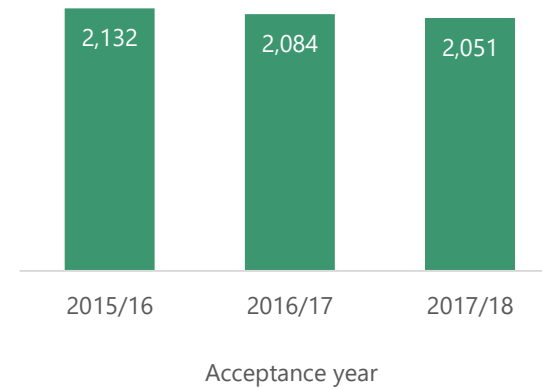
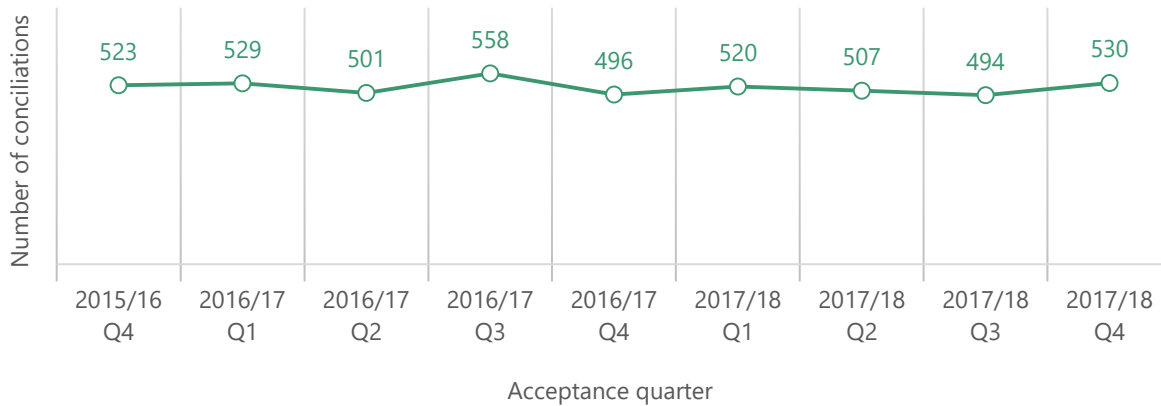
1.1 Disputation rate

The number of dispute applications as a proportion of active claims (claims with at least one transaction payment within the financial year)



1.2 Accepted conciliations

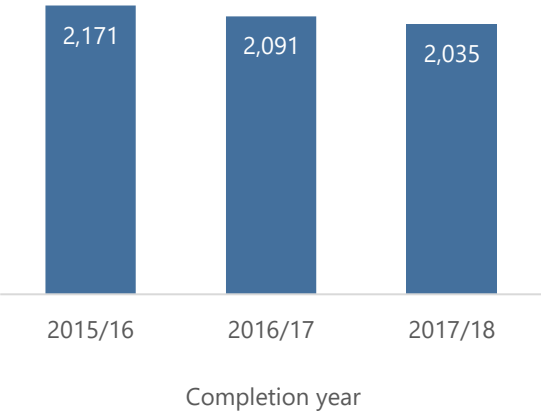
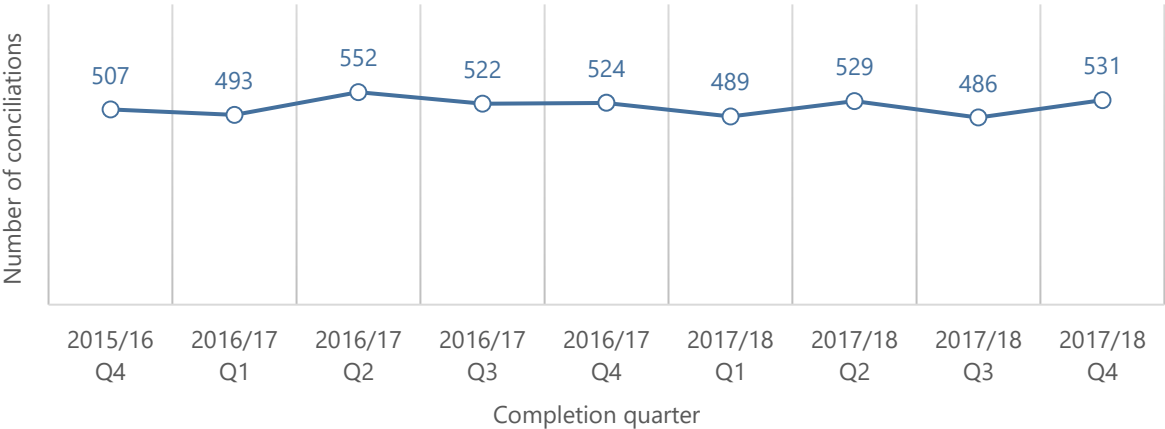
The number of conciliations accepted



Conciliations

1.3 Completed conciliations

The number of closed conciliations



1.4 Ratio of accepted to completed conciliations

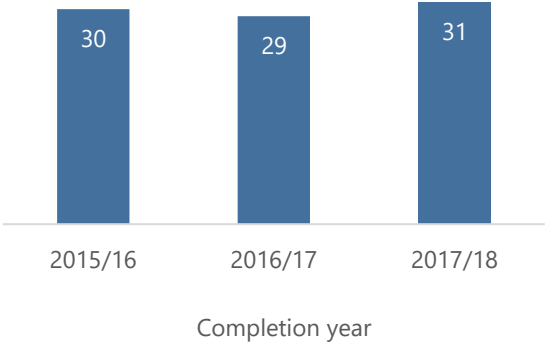
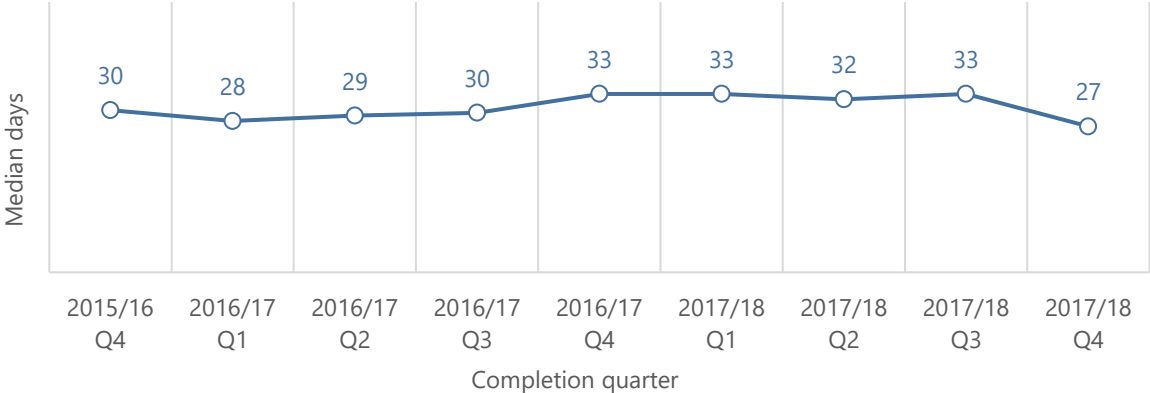
The ratio between the number of accepted to closed conciliations



Conciliations

1.5 Median days to complete conciliations

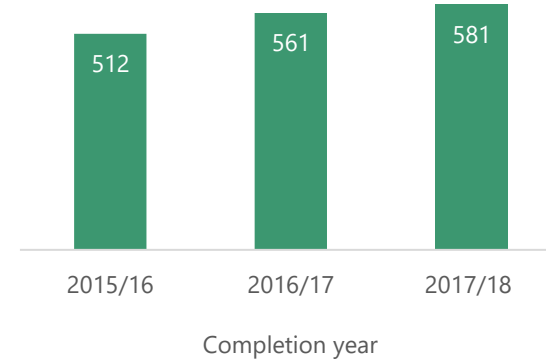
The median number of days from acceptance to completion for conciliations



Conciliations

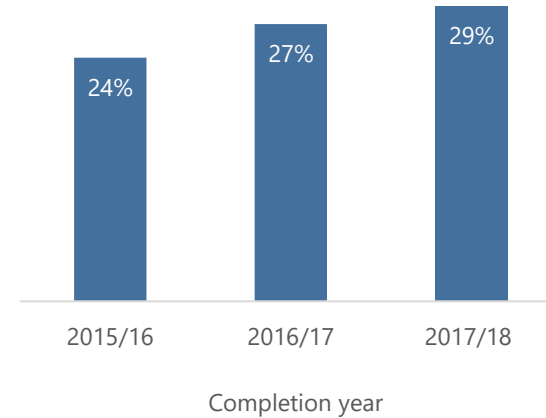
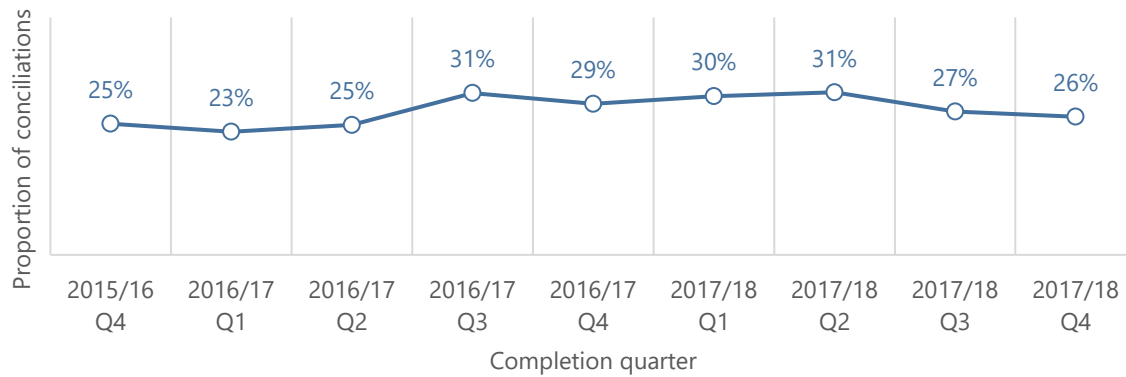
1.6 Conciliations with subsequent arbitrations

The number of conciliations with subsequent arbitration applications



1.7 Proportion of conciliations with subsequent arbitrations

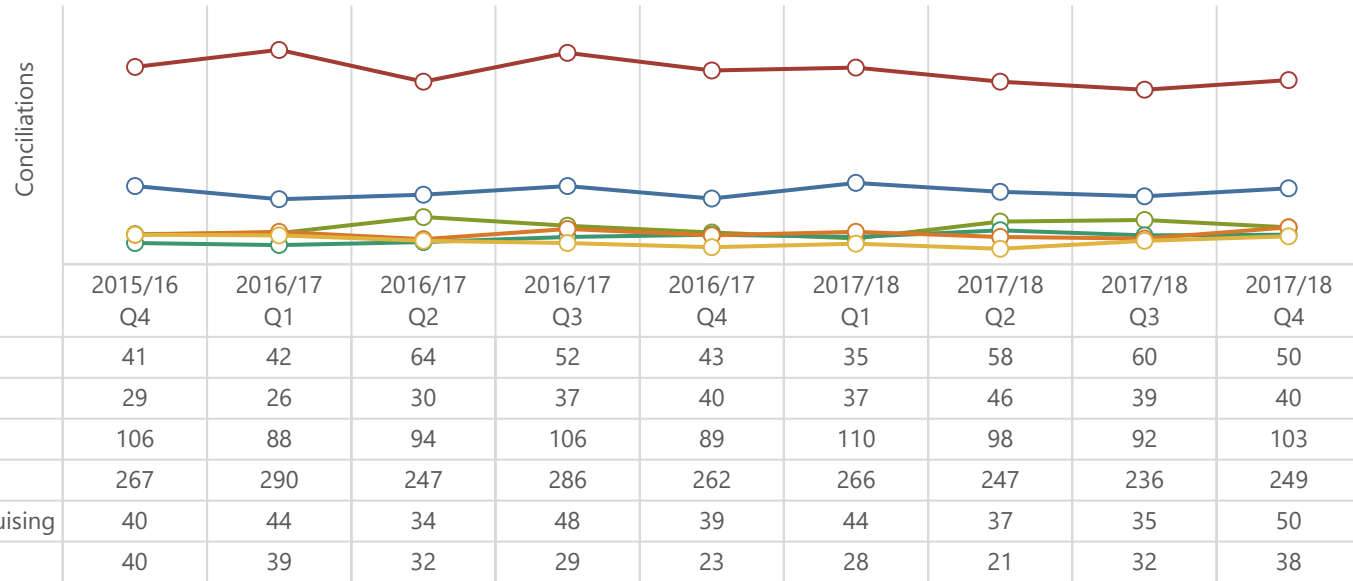
The proportion of conciliations with subsequent arbitration applications



Conciliations

1.8 Conciliations by nature of injury/disease

The number of accepted conciliations by nature of injury or disease



1.9 Comparison of conciliations and claims by nature of injury/disease - 2017/18

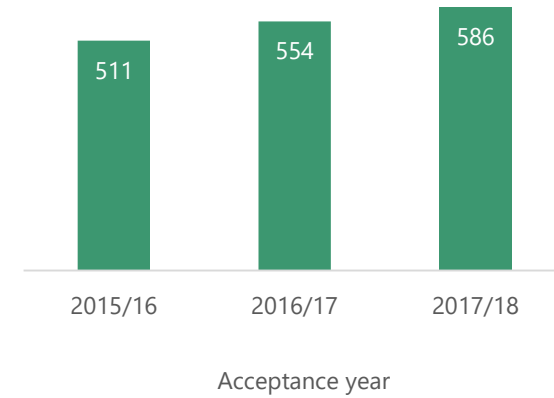
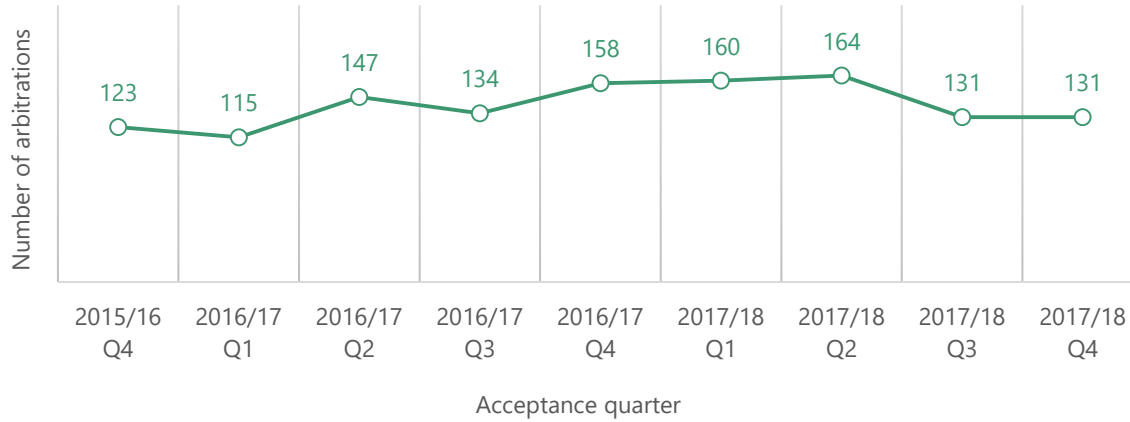
The proportion of accepted conciliations by nature of injury or disease compared with claims lodged

Nature of injury/disease	Conciliations	Claims
Diseases (includes cancer and other diseases)	10%	8%
Fractures	8%	8%
Mental conditions	20%	4%
Sprains and strains	49%	39%
Wounds, contusions, bruising	8%	22%
Other injuries	6%	20%
Total	100%	100%

Arbitrations

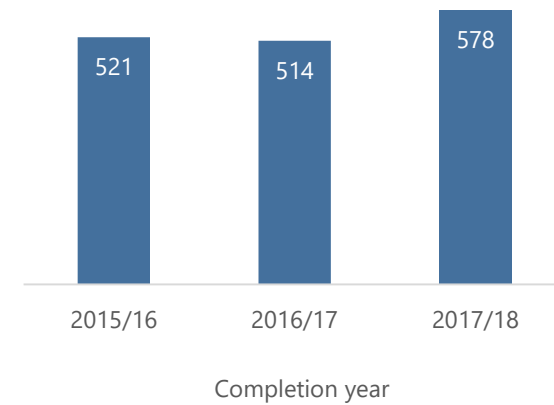
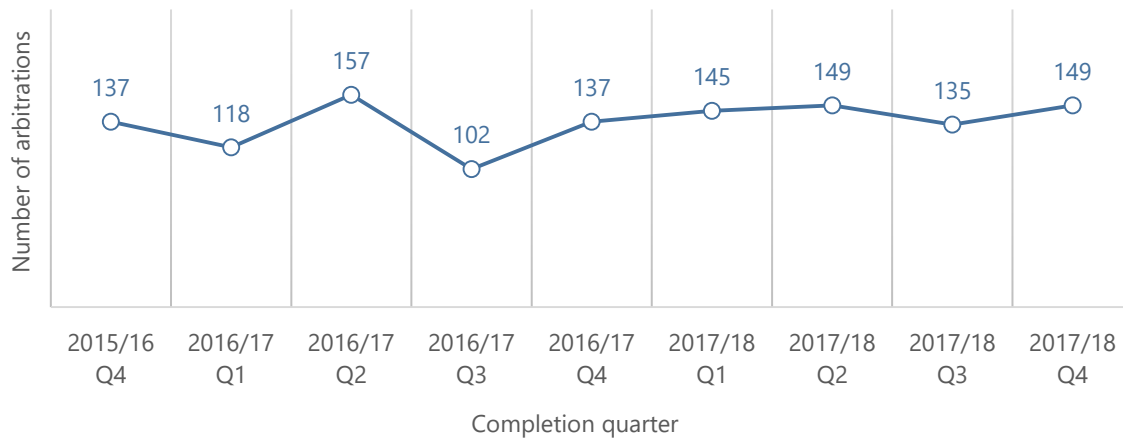
2.1 Accepted arbitrations

The number of accepted arbitrations



2.2 Completed arbitrations

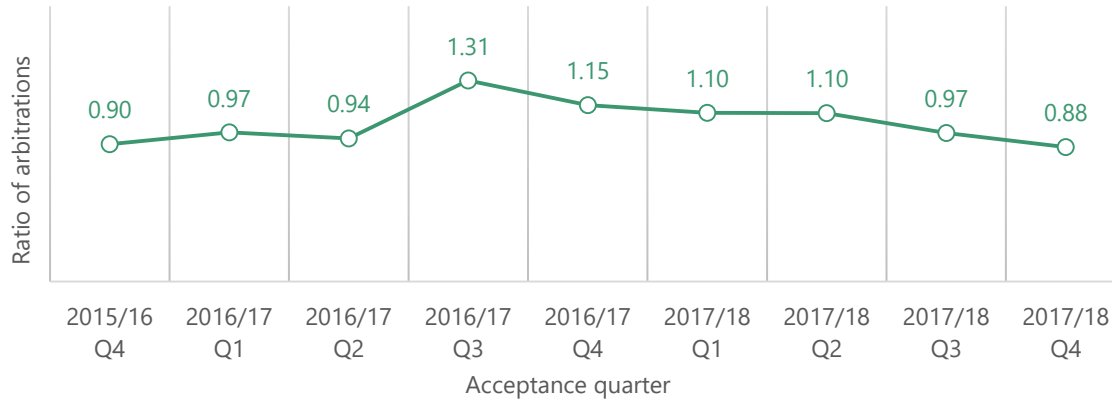
The number of closed arbitrations



Arbitrations

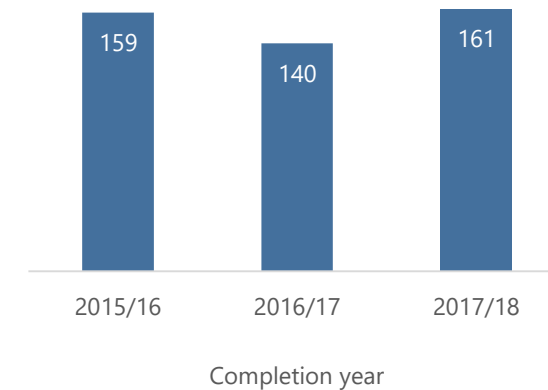
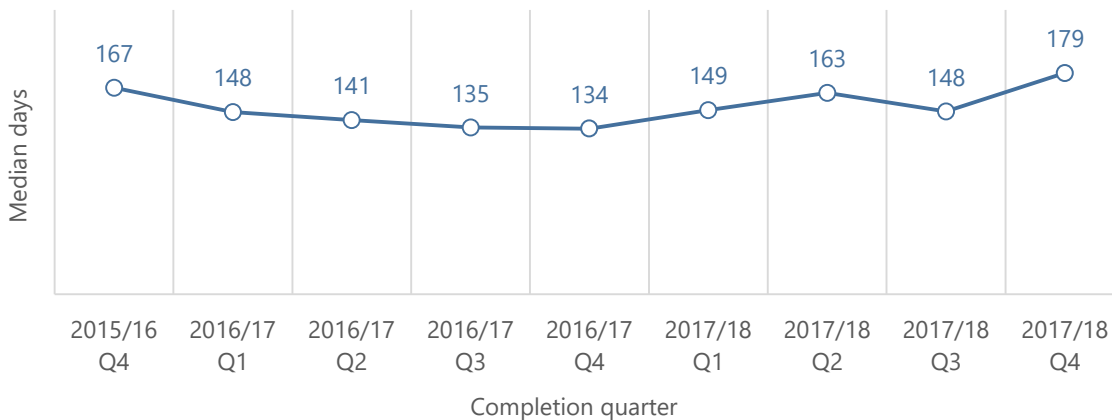
2.3 Ratio of accepted to completed arbitrations

The ratio between the number of accepted to closed arbitrations



2.4 Median days to complete arbitrations

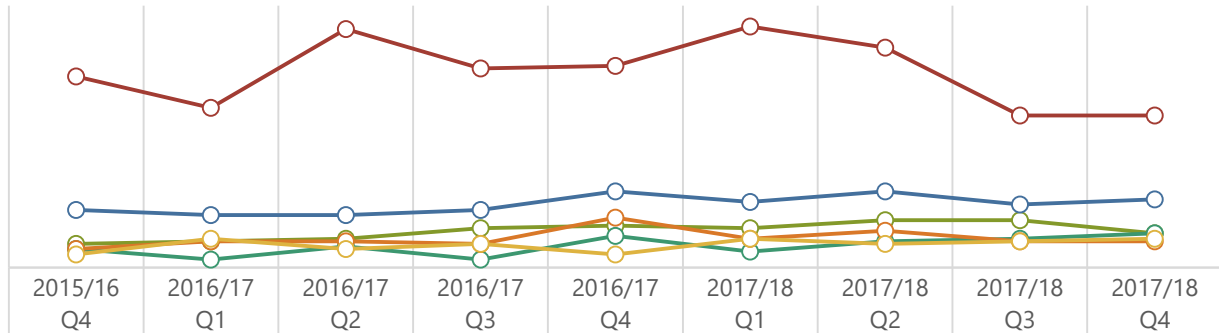
The median number of days from acceptance to completion for arbitrations (excludes conciliation time)



Arbitrations

2.5 Arbitrations by nature of injury/disease

The number of arbitrations by nature of injury or disease



	2015/16 Q4	2016/17 Q1	2016/17 Q2	2016/17 Q3	2016/17 Q4	2017/18 Q1	2017/18 Q2	2017/18 Q3	2017/18 Q4
Diseases	9	10	11	15	16	15	18	18	13
Fractures	7	3	8	3	12	6	10	11	13
Mental conditions	22	20	20	22	29	25	29	24	26
Sprains and strains	73	61	91	76	77	92	84	58	58
Wounds, contusions, bruising	7	10	10	9	19	11	14	10	10
Other injuries	5	11	7	9	5	11	9	10	11

2.6 Comparison of arbitrations and claims by nature of injury/disease - 2017/18

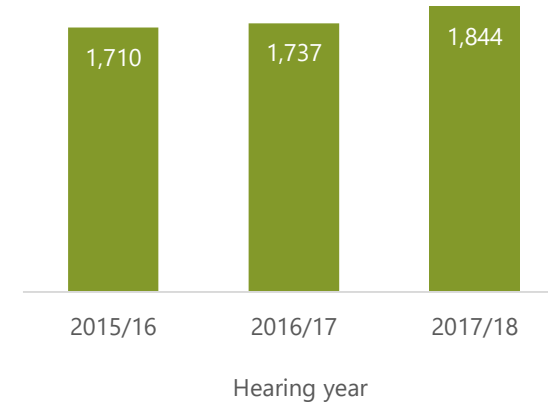
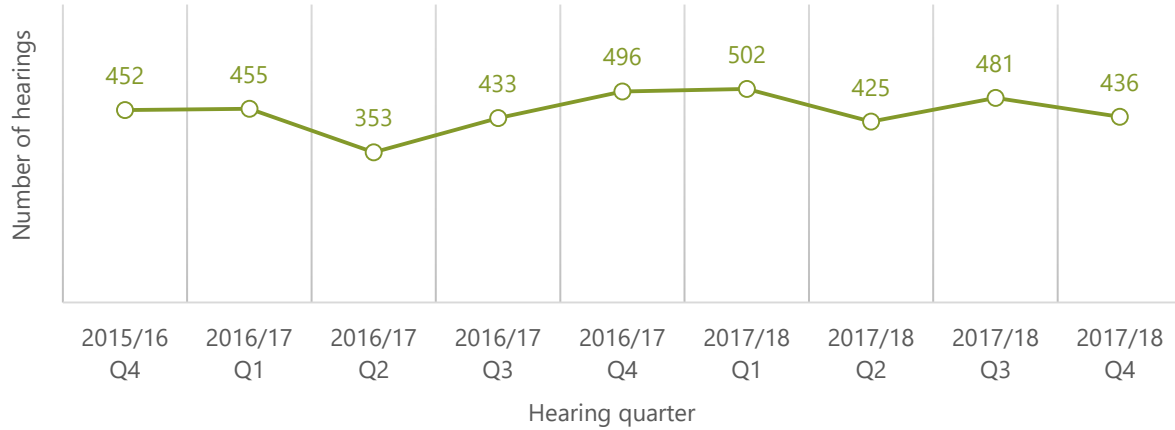
The proportion of arbitrations by nature of injury or disease compared with claims lodged

Nature of injury/disease	Arbitrations	Claims
Diseases (includes cancer and other diseases)	11%	8%
Fractures	7%	8%
Mental conditions	18%	4%
Sprains and strains	50%	39%
Wounds, contusions, bruising	8%	22%
Other injuries	7%	20%
Total	100%	100%

Hearings

3.1 Arbitration hearings held

The number of all arbitration hearings (directions, interlocutory, formal arbitration, costs, pre-arbitration) held/completed



3.2 Proportion of arbitration hearings by type

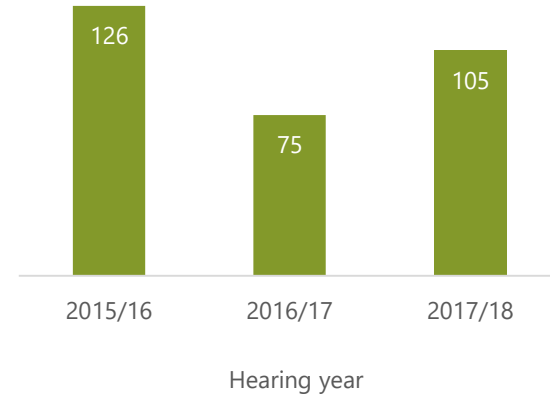
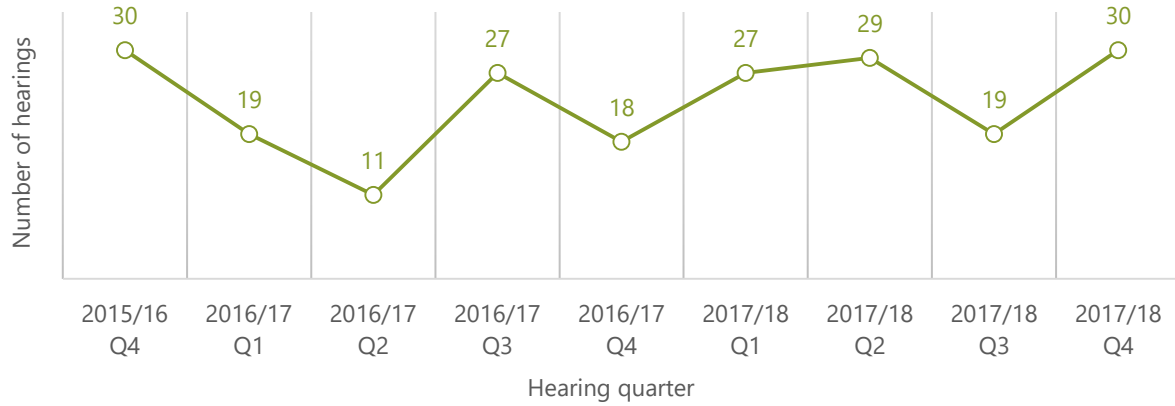
The proportion of arbitration hearings held/completed by type of hearing

Hearing type	2015/16	2016/17	2017/18
Formal arbitration	7%	4%	6%
Costs	1%	1%	1%
Directions	79%	79%	76%
Interlocutory	12%	10%	11%
Pre-Arbitration	1%	6%	7%
Total	100%	100%	100%

Hearings

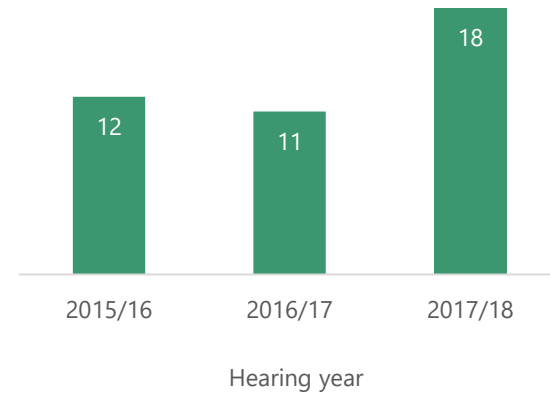
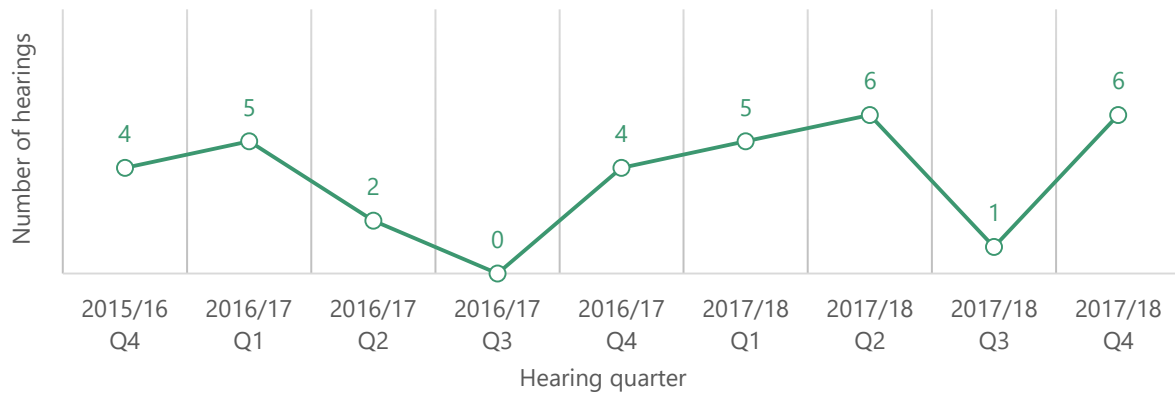
3.3.1 Hearings held by hearing type - Formal arbitration

The number of formal arbitration hearings held/completed



3.3.2 Hearings held by hearing type - Costs

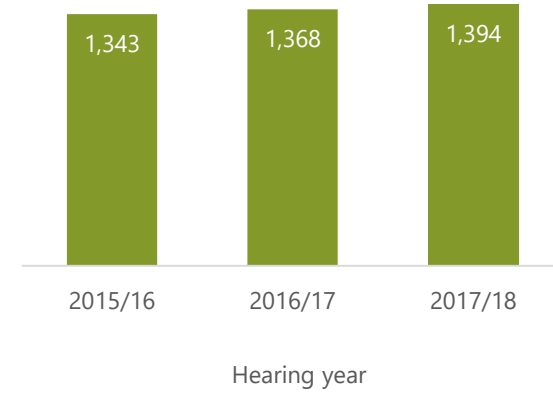
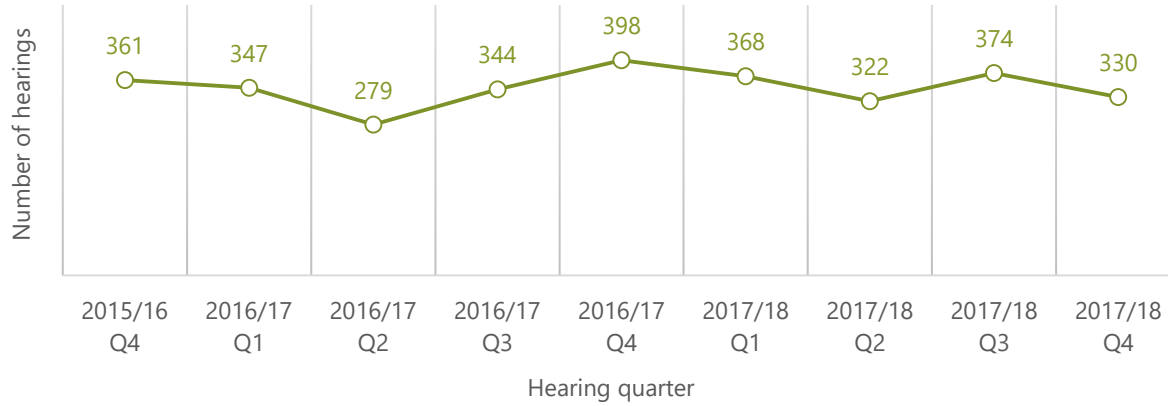
The number of costs hearings held/completed



Hearings

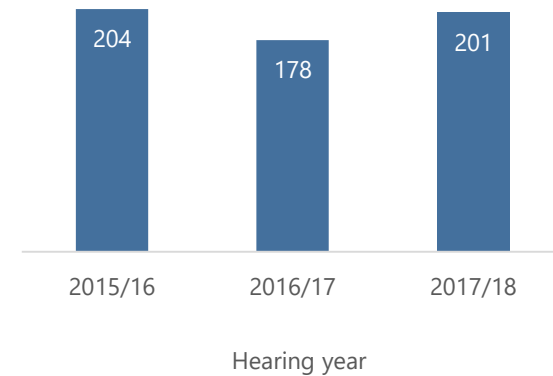
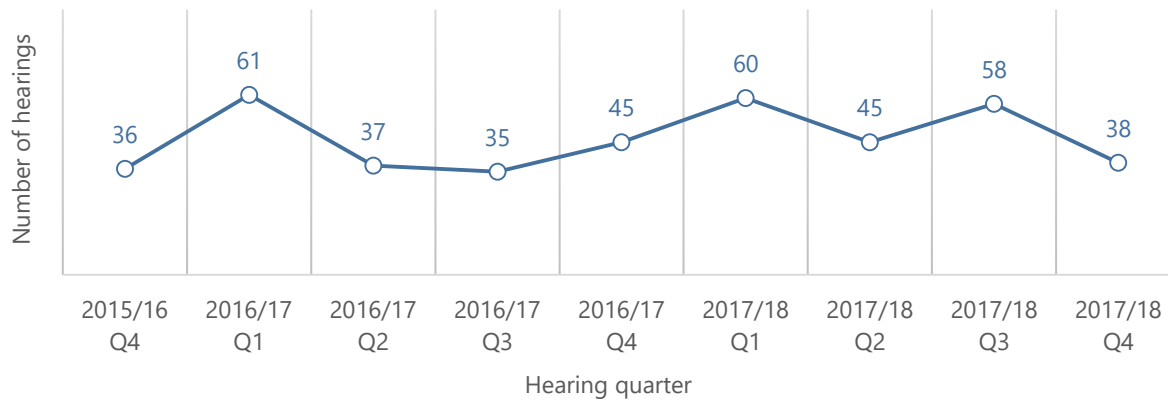
3.3.3 Hearings held by hearing type - Directions (includes directions by telephone)

The number of direction hearings held/completed



3.3.4 Hearings held by hearing type - Interlocutory

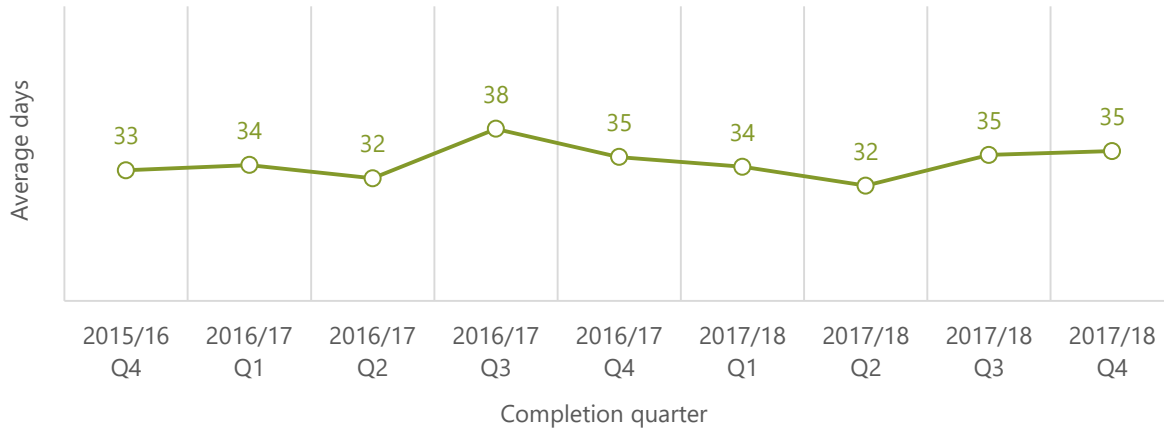
The number of interlocutory hearings held/completed



Hearings

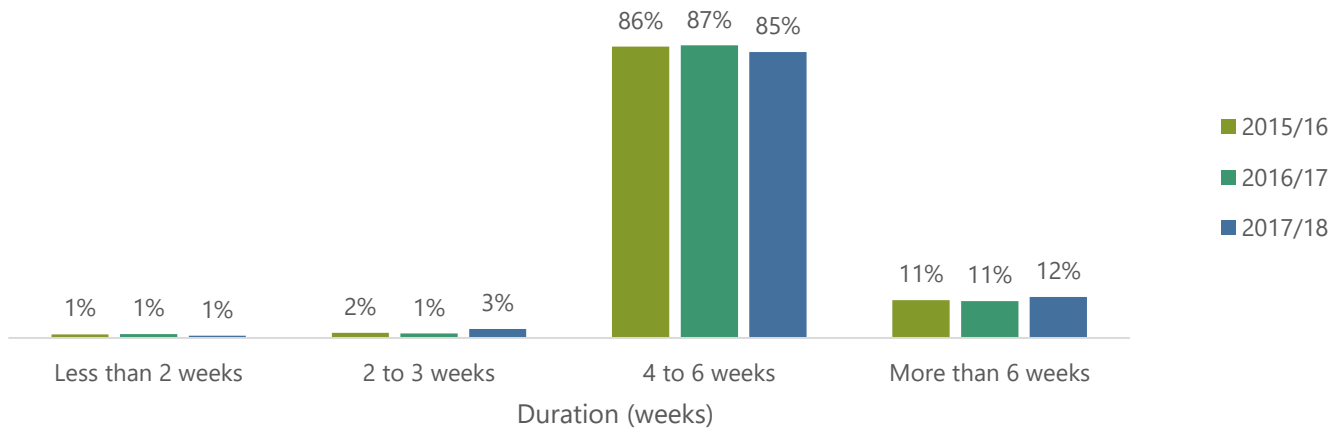
3.4 Average duration between acceptance and first hearing

The average days from the acceptance of arbitration application to the first hearing of any type (directions, interlocutory, formal arbitration, costs or pre-arbitration)



3.5 Arbitrations by duration from acceptance to first hearing

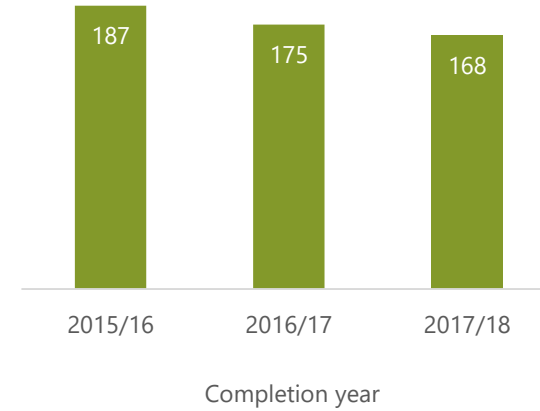
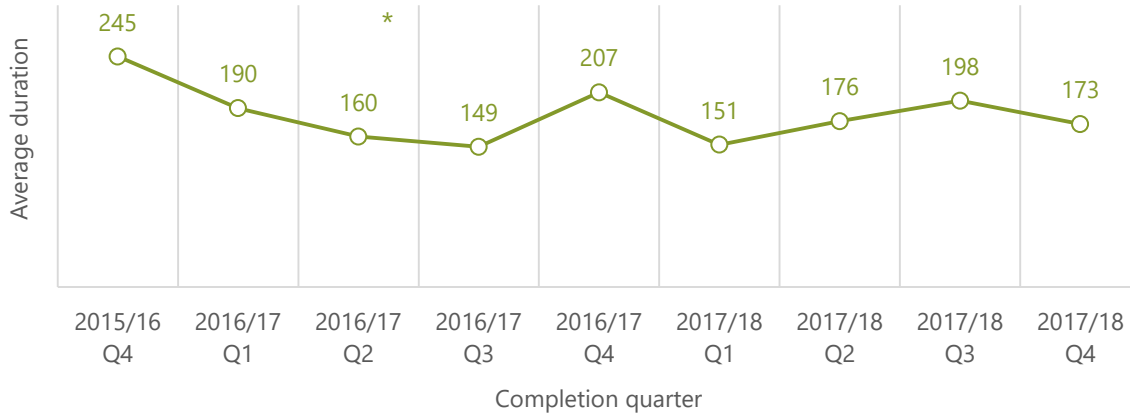
The proportion of arbitration applications by duration from acceptance to first hearing of any type



Hearings

3.6 Average duration to first formal arbitration hearing

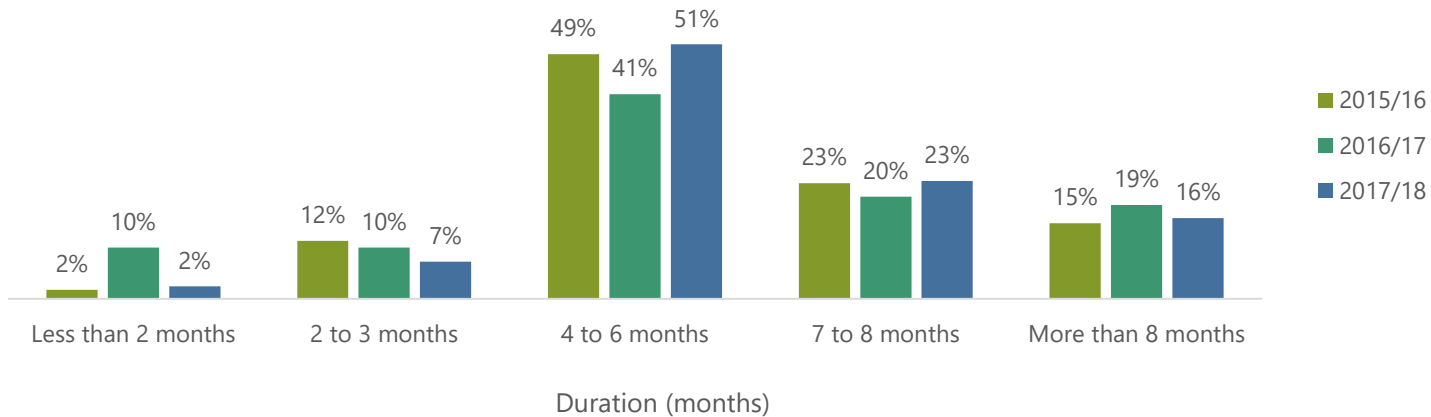
The average number of days from the acceptance of arbitration application to the first formal arbitration hearing



* In 2015/16 Q4, two outliers were identified with high duration. Excluding these, the average duration reduces to 175 days.

3.7 Arbitrations by duration from acceptance to first formal arbitration hearing

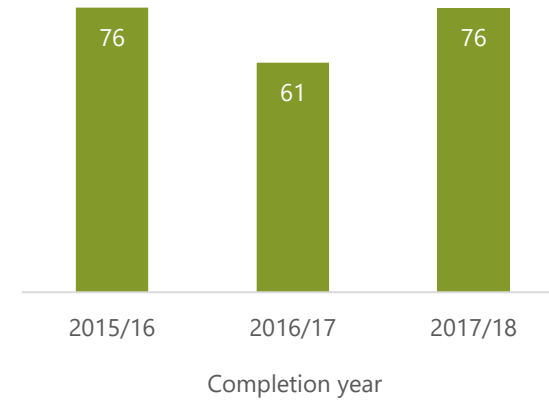
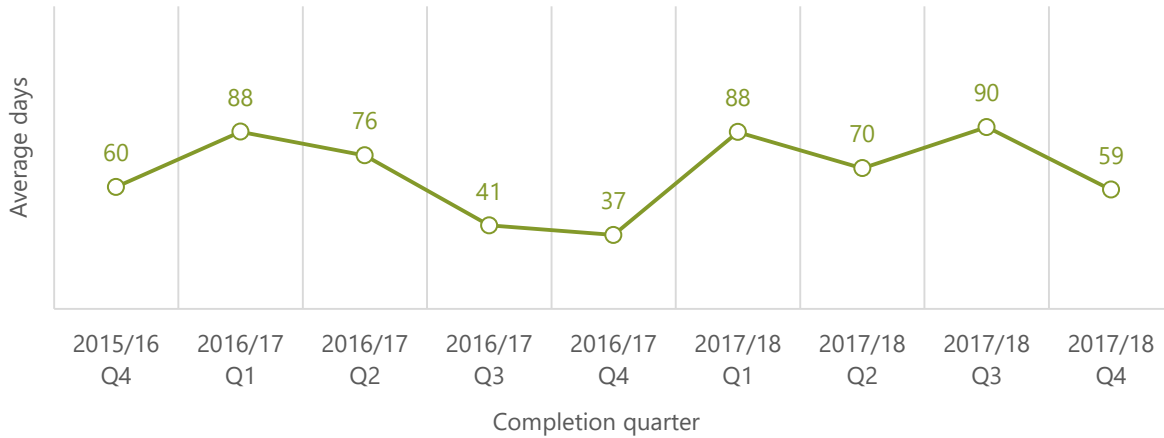
The proportion of arbitration applications by duration from acceptance to first formal arbitration hearing



Hearings

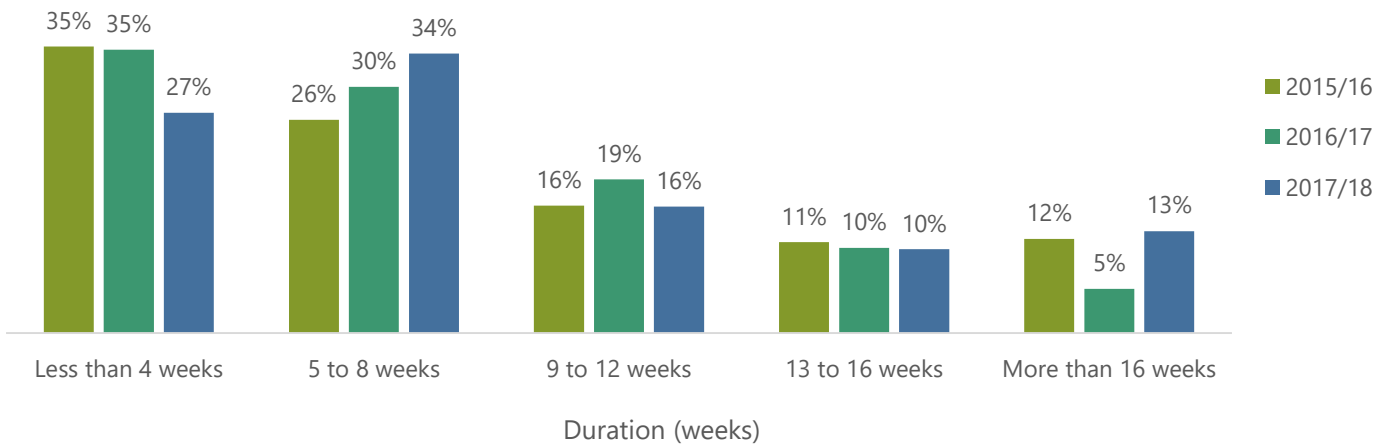
3.8 Average duration from last formal arbitration hearing to completion

The average number of days from the last formal arbitration hearing to completion



3.9 Arbitrations by duration from last formal arbitration hearing to completion

The proportion of arbitrations by duration from the last formal arbitration hearing to completion



Disclaimer

- 1 Due to the dynamic nature of workers' compensation claims, the interpretation of data contained within this report (the data) must be undertaken with some caution. Data users are cautioned to consider carefully the provisional nature of the data before using it for decisions that concern personal or public safety or the conduct of business that involves substantial monetary or operational consequences.
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