

## Information Sheet

### Process – Loading and Appeal Policy

The following information will assist Insurers, Employers and Brokers to apply WorkCover WA’s *Assessment of Premium Rates and Industry Classifications: Loading and Appeal Policy*.

Full terms must be provided to the employer before the policy expiry date. WorkCover WA will not consider a premium loading application unless it is lodged within 90 days of policy expiry.

Reasonable efforts must be made via the Insurer’s Internal Dispute Resolution Process to resolve disagreements related to the loading and appeal process.

This Information Sheet refers to two forms:

- Form 330: >75% Loading Application – Employer Declaration
- Form 331: >75% Loading Application – Premium Appeal

#### Classification Appeals

If an Employer is appealing the industry ‘classification’ only, the Employer should contact the Insurer in the first instance. If the issue is unable to be resolved, contact WorkCover WA to discuss the appeals process.

#### Insurer Loading a Premium by more than 75% (Employer consents to premium loading)

Insurer	<ul style="list-style-type: none"> <li>• <i>Step 1:</i> Insurer completes the Insurer Section of Form 330 and provides it to the Employer when full terms are issued.</li> </ul>
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Employer	<ul style="list-style-type: none"> <li>• <i>Step 2:</i> Employer <u>consents to premium loading</u>: Complete the ‘Employer Section’ of Form 330 and return it to the Insurer within 30 days of issue.</li> <li>• <i>Step 3:</i> If required by the Insurer, Employer pays the premium specified at ‘Amount ‘A’ on Form 330.</li> </ul>
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Insurer	<ul style="list-style-type: none"> <li>• <i>Step 4:</i> Insurer uploads Form 330 with the &gt;75% loading application through WorkCover WA Online.</li> </ul>
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WorkCover WA	<ul style="list-style-type: none"> <li>• <i>Step 5:</i> WorkCover WA processes the loading application and advises the Insurer of the outcome through WorkCover WA Online.</li> </ul>
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Insurer	<ul style="list-style-type: none"> <li>• <i>Step 6:</i> Insurer advises the Employer of the outcome and requests premium payment.</li> </ul>
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Employer	<ul style="list-style-type: none"> <li>• <i>Step 7:</i> Employer pays requested premium.</li> </ul>

### Insurer Loading a Premium by more than 75% (Employer does not consent to loading)

Insurer	<ul style="list-style-type: none"> <li><i>Step 1:</i> Insurer completes the Insurer Section of Form 330 and provides it to the Employer when full terms are issued.</li> </ul>
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Employer	<ul style="list-style-type: none"> <li><i>Step 2:</i> Employer <u>does not</u> consent to premium loading: Employer/broker commences seeking alternative quotes. If an alternative insurer is selected, do not complete Form 330, but advise the former insurer.</li> <li><i>Step 3:</i> Employer returns Form 330 to the Insurer within 30 days of issue. <ul style="list-style-type: none"> <li>If not provided within 30 days: <ul style="list-style-type: none"> <li>the Insurer is to notify WorkCover WA of the non-response.</li> <li>the Employer will not be able to appeal.</li> <li>the Employer may be investigated by WorkCover WA for not holding insurance.</li> </ul> </li> <li>Employer may contact WorkCover WA to seek an extension but must request the extension within the 30 day period: <ul style="list-style-type: none"> <li>Extensions may be granted if the Employer confirms they did not receive Form 330 at the date of issue or alternative quotes are pending.</li> <li>WorkCover WA will advise outcome of request.</li> </ul> </li> </ul> </li> <li><i>Step 4:</i> If required by the Insurer, Employer pays 'Amount 'A' on Form 330.</li> </ul>
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Insurer	<ul style="list-style-type: none"> <li><i>Step 5:</i> Insurer uploads Form 330 with the &gt;75% loading application through WorkCover WA Online.</li> </ul>
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WorkCover WA	<ul style="list-style-type: none"> <li><i>Step 6:</i> WorkCover WA provides Form 331 to the Employer (complete in 30 days).</li> </ul>
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Employer and Insurer	<ul style="list-style-type: none"> <li><i>Step 7:</i> Once the Employer reviews the claims data, they can consent to the full premium terms offered by the Insurer or continue with the appeal. If the Employer consents to the full premium terms, they must advise the Insurer and return Form 331 to WorkCover WA.</li> <li><i>Step 8:</i> If the Employer does not agree with the claims data, refer to the Insurer: <ul style="list-style-type: none"> <li>If the Insurer agrees to adjust the claims data, they must advise WorkCover WA and update claims data through WorkCover WA Online.</li> <li>If the change results in the Insurer no longer loading &gt;75%, or a lower rate above 75%, the Insurer must withdraw the application and advise WorkCover WA.</li> <li>If the revised premium loading is &gt;75%, the process recommences.</li> <li>Employer must return Form 331 to WorkCover WA within 30 days of its date of issue or their appeal right is forfeited. Extensions will only be granted in extenuating circumstances.</li> </ul> </li> </ul>
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WorkCover WA	<ul style="list-style-type: none"> <li><i>Step 9:</i> WorkCover WA facilitates an insurer response to employer statements in Form 331.</li> </ul>
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WorkCover WA	<ul style="list-style-type: none"> <li><i>Step 10:</i> WorkCover WA provides copies of the completed Form 331 to all parties.</li> <li><i>Step 11:</i> WorkCover WA processes the application and submits to the Board. <ul style="list-style-type: none"> <li>If the <u>Appeal is upheld</u>, the Insurer provides new terms to the Employer. Process starts again if new terms are above 75% but below the previous loading sought.</li> <li>If the <u>Appeal is dismissed</u>, Employer pays the premium, amount 'B' on Form 330.</li> </ul> </li> </ul>