

Review of WorkSafeBC's
Policy & Practice Consultative
Committee

Final Draft

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Logan & Associates Inc.

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Executive Summary

Introduction

In July 2008, WorkSafeBC initiated a review of the Policy and Practice Consultative Committee (PPCC) to ensure it continues to be an effective avenue for obtaining stakeholder input and advice. The review is in response to stakeholder concerns.

This Report documents the final review findings and recommendations.

Approach

A five step approach was used to conduct the review:

- gathering key informant input through a series of interviews,¹
- reviewing best practices in stakeholder engagement,
- developing a draft Report for consideration by the PPCC co-chairs and members;
- meeting with the PPCC as a whole, and separately with labour and employer stakeholders to hear their feedback on the draft Report, and
- incorporating the feedback into the Final Report.

PPCC Mandate

The PPCC is an advisory committee that provides input and advice to WorkSafeBC's Senior Executive.² The current terms of reference set out four major roles:

- **Advising on scope and methods** of consultation for issues that will have a significant impact on the worker and employer communities.
- **Providing feedback on options and proposals** for resolving issues that do not require wider consultation (e.g. housekeeping items).
- **Receiving information** about significant operational issues.
- **Identifying and bringing forward issues** of significance to their communities.

¹ Key informants included the PPCC co-chairs and members, key stakeholders, the Chair of WorkSafeBC, members of the Board of Directors, the President, Divisional leadership in the Policy and Research and Worker and Employer Services Divisions, and other key members of the workers' compensation system. A complete list of interviews is set out in section 7.

² The PPCC Terms of Reference are attached in Appendix 1.

WorkSafeBC Approach to Stakeholder Engagement

WorkSafeBC has a longstanding practice of obtaining stakeholder advice on its activities and decisions. It uses a range of engagement methods, including the PPCC, public hearings, its website, industry specific consultations, discussions with subject matter experts, standing committees such as the Research Advisory Committee, ad hoc committees on technical matters, and annual meetings between WorkSafeBC senior leadership and key stakeholder groups.

Interview Themes

I conducted interviews with twenty-four people in the course of my review. The level of engagement throughout the process was remarkable, and everyone was very generous with their time and insights.

My interview findings are summarized under seven themes. I note that the majority of comments are focused on policy and regulatory issues. There were far fewer comments about operational matters.

Theme 1: Value of the Committee

The PPCC is seen as an important forum by the worker and employer communities. Where issues were identified, they were about specific aspects of the committee's operations, terms of reference or process - not its underlying value.

Theme 2: Role of PPCC Industry Members

There is a wide range of perspectives on the role PPCC members play in WorkSafeBC's stakeholder engagement process. There is general agreement that the committee role should be discussed and clarified.

Theme 3: Committee Process and Structure

There are mixed opinions about committee structure and process. Some believe the co-chairs are doing a good job of providing leadership and responding to the needs of the committee, and that all members are operating in good faith to move issues forward in a constructive fashion.

On the other hand, there are those, particularly in the employer community, who feel that WorkSafeBC needs to be more responsive to stakeholder perspectives and issues. They acknowledge that WorkSafeBC has the responsibility "to steer the ship", but feel PPCC members should have more opportunity for dialogue and meaningful input into both the route and the destination.

Some worker members underscored the need for balance in the number of representatives from each community attending PPCC meetings. They reinforced the importance of the formal, equal membership structure provided for in the Terms of Reference.

Theme 4: Access and Transparency

The new systems implemented by WorkSafeBC to enhance the access and transparency of the consultation process appear to be working well.

Stakeholders are very interested in more information about the source, drivers, and objectives of policy, regulatory and operational initiatives. There were also suggestions about new ways of engaging those who are directly impacted by WorkSafeBC decisions and initiatives.

Theme 5: Priorities and Agenda Setting

There is some frustration with the current priorities and the issues brought to the PPCC, particularly amongst employers. They feel the agenda should be driven by the “large” issues facing workplaces. They also believe more attention should be paid to reviewing the effectiveness of policy and regulatory measures that have already been introduced.

There is a common desire amongst workers and employers to have more strategic dialogue and input. Various options for structuring this dialogue were proposed.

Theme 6: Capturing PPCC Discussion and Input

Some interview comments focused on how PPCC discussions are recorded and communicated. In particular, employers feel the process will benefit from a new approach to capturing and communicating PPCC discussion to the Board of Directors and broader stakeholder community.

Theme 7: Workload

Representatives of both communities commented on the PPCC workload and difficulties in effectively engaging with the breadth and diversity of issues. They feel they need more lead time for issues, and sometimes feel rushed in their discussions. Worker members underscored the importance of having the opportunity to consider the full range of issues and hear the different views.

General Observations

I believe all the PPCC members and participants are working hard to be flexible, creative, and inclusive - in other words, to continue to “make it work”.

At the same time, there is a natural tension about how much input and say stakeholders should have into what WorkSafeBC does, and how it does it. The PPCC has become a focal point for expressing this frustration. Some of this frustration is about influence (everyone wants more), some of it is about process, some of it is about trust, and some of it is about not always feeling heard.

There is no doubt that stakeholder engagement is hard work. This is particularly true in the context of workers' compensation, where the politics are complex and longstanding, and today's issues are often rooted in yesterday's discussions, debates and compromises. Moving past this history requires commitment, patience and creativity. It requires everyone to set aside preconceived notions in order to ensure what is being said is actually heard. And it requires renewed enthusiasm to engage in what can often be a frustrating process on all sides.

Nonetheless, during my discussions, I was struck by the consistent underscoring of the value of the PPCC consultation processes, and appreciation of the opportunity to come together over critical issues. There was a constructive focus on how the process could be improved to meet everyone's needs. There was a willingness to be inclusive, to be open to suggestions and ideas, and to develop new ways of approaching old questions.

The suggestions for improvement often reflected the differing perspectives of workers, employers and the staff of WorkSafeBC. But taken together, they provide a solid foundation for moving forward.

Summary of Recommendations

My recommendations are rooted in a consideration of general stakeholder engagement principles and best practices, the key informant comments and suggestions, and my knowledge of the specific context in which WorkSafeBC and the PPCC operate.

Recommendation 1

The PPCC should continue to play a key role in WorkSafeBC's primary joint stakeholder engagement process.

Recommendation 2

PPCC members should engage in a facilitated discussion about their Terms of Reference with a focus on the role of industry members.

Recommendation 3

WorkSafeBC should develop a dynamic document setting out its approach to stakeholder engagement that continues to reflect changes in approach over time.

Recommendation 4

WorkSafeBC should build on existing communication tools and develop new tools to facilitate increased clarity about the scope and objectives of each stage of the consultation process.

Recommendation 5

WorkSafeBC should appoint a staff person to act as a liaison and provide strategic support to PPCC members and activities, as well as liaising with the Director of Governance in the Office of the Board of Directors.

Recommendation 6

The current PPCC structure and composition should be maintained.

Recommendation 7

A process protocol should be developed for PPCC meetings.

Recommendation 8

Where applicable, the following should be included in PPCC materials:

- What is the nature of the problem to be solved?
- What is the goal in addressing the issue?
- How would we know that we've been effective?
- Is the issue on the annual plan? If it is a new issue, what is the source / driver?
- Who has been consulted to date?
- What are the specific questions for the PPCC members?

Recommendation 9

A forum for strategic dialogue about issues and priorities between an “expanded” group of community representatives and WorkSafeBC senior executives should be established.

Recommendation 10

The practice of annual, informal meetings between the WorkSafeBC Board of Directors, Senior Executive and key stakeholder groups should be continued.

Recommendation 11

The minutes of PPCC meetings should be distributed to members of WorkSafeBC's Priorities and Governance Committee.

Recommendation 12

A copy of the statement of PPCC input provided to WorkSafeBC's Board of Directors should also be provided to PPCC members (where applicable).

Recommendation 13

The PPCC manager / liaison support PPCC members in navigating issues, materials, timelines and workload.

Recommendation 14

WorkSafeBC should explore the use of new technologies to facilitate stakeholder engagement and help manage the PPCC's workload.

Recommendation 15

The PPCC manager / liaison should work closely with the PPCC co-chairs and members to ensure timely implementation of the recommendations arising from this review, and provide quarterly progress reports to the PPCC.

1. Introduction

In July 2008, WorkSafeBC initiated a review of the Policy and Practice Consultative Committee to ensure it continues to be an effective avenue for obtaining stakeholder input and advice. The review is in response to stakeholder concerns.

This Report documents my final review findings and recommendations.

2. Background

WorkSafeBC has a longstanding practice of obtaining stakeholder advice on its activities and decisions. The PPCC is one way that WorkSafeBC currently receives stakeholder input. It is a formal advisory committee that provides input and advice to WorkSafeBC's Senior Executive on:

- the scope and methods of public consultation on discussion papers and materials that will have a significant impact on the various stakeholder communities, and
- options for resolving issues that do not require wider consultation.

According to its Terms of Reference, the PPCC also provides an opportunity for operating divisions to report on issues with broader policy, regulatory, practice or program implications, and for stakeholders to identify and bring forward any significant issues to the attention of WorkSafeBC's Senior Executive and/or the Board of Directors.

The PPCC is co-chaired by WorkSafeBC's Vice-President, Policy and Research Divisions, and Vice-President, Worker and Employer Services. Members are the Directors of the Employer and Workers' Advisors offices, and three representatives of the employer and worker communities.

The PPCC terms of reference provide that the co-chairs will periodically consult with the members and/or their communities / divisions, and make any necessary amendment to the terms of reference.

3. Approach

I used a five step approach to conduct the review:

- gathering key informant input through a series of interviews,
- reviewing best practices in stakeholder engagement,
- developing a draft Report for consideration by the PPCC co-chairs and members;
- meeting with the PPCC as a whole, and separately with labour and employer stakeholders to hear their feedback on the draft Report, and
- incorporating the feedback into the Final Report.

I conducted interviews with twenty-four people including the PPCC co-chairs, PPCC industry members, key stakeholders, members of WorkSafeBC’s Senior Executive including the President, the Board Chair and members of the Board of Directors, staff in the Policy and Research and Worker and Employer Services Divisions, and other key members of the workers’ compensation system. I also had an opportunity to attend PPCC meetings in August and in September, and to meet again with worker and employer representatives to discuss the contents of an earlier draft of this report.

The level of engagement during the process was remarkable, and people were very generous with their time and insights. I appreciate the time everyone took to meet with me throughout the process.

4. Interview Themes

I have summarized the results of my interviews according to seven themes:

- Theme 1: Value of the Committee
- Theme 2: Role of PPCC Industry Members
- Theme 3: Committee Process and Structure
- Theme 4: Access and Transparency
- Theme 5: Priorities and Agenda Setting
- Theme 6: Capturing PPCC Discussion and Input
- Theme 7: Workload

Most of my interview conversations focused on policy and regulatory issues. This is consistent with the PPCC terms of reference, which provide for a more limited role in operational issues.

4.1 Value of the Committee

The PPCC is seen as an important stakeholder forum. Both employer and worker representatives view it as an important vehicle for discussing and providing input

into WorkSafeBC policy and regulatory issues, for receiving information about key operational initiatives, and for meeting regularly with senior management.

Where issues were identified, they were about specific aspects of the committee's operations or processes - not its underlying value.

4.2 Role of PPCC Industry Members

There is a wide range of perspectives on the role PPCC members play in WorkSafeBC's stakeholder engagement process, including:

- a voice speaking on behalf of the employer or worker community who can provide general insight and input into issues on behalf of their community
- an advisor to WorkSafeBC on who should be consulted on specific issues, and how public consultation should take place
- a representative who vets policy and regulatory issues on behalf of their community
- a two way conduit for information to and from their community
- an active player in shaping policy priorities
- an active player in shaping operational priorities
- an advisor who can help WorkSafeBC strategically position issues
- a content matter expert
- a representative who can enter into consensus agreements as to how an issue can be best resolved.

There was general agreement that the role of committee members should be discussed and clarified.

4.3 Committee Structure and Process

A number of people remarked on how well the PPCC works. They believe the co-chairs are doing a good job of providing leadership and responding to the needs of the committee. They believe the members are operating in good faith to move issues forward in a constructive fashion.

There are also those, particularly in the employer community, who feel WorkSafeBC needs to be more responsive to stakeholder perspectives and issues. They acknowledge that WorkSafeBC has the responsibility "to steer the ship", but feel PPCC members are not always heard, and that they should have more opportunity for dialogue and meaningful input into both the route and the destination.

Some worker members underscored the need for balance in the number of representatives from each community who attend the meetings. They pointed to the formal membership of the PPCC and reinforced its importance. Other members suggested that at times the number of WorkSafeBC staff attending the meetings impedes open dialogue amongst the committee members.

4.4 Access & Transparency

WorkSafeBC has implemented a number of new systems in the last few years which are seen as improving access and transparency. These include issue tracking and status reports, and using the website for posting discussion papers and receiving comments.

All parties appreciated the responsiveness of WorkSafeBC in providing briefings and responses to questions from stakeholders.

A number of comments focused on the need for additional information about:

- The source of issues coming before the PPCC – where do they come from?
- What WorkSafeBC is trying to achieve with specific initiatives and policy and regulatory changes, what the drivers are, and how the proposed approach responds to the objectives and drivers.
- Who has been consulted on policy, regulatory and operational issues before they come to the PPCC.

Others suggested that additional thought should be given to how best to engage those who are directly impacted by WorkSafeBC decisions. Specific suggestions were made about additional locations for public hearings, meeting with workers and employers at individual worksites, and incorporating new technologies into the consultation process.

4.5 Priorities and Agenda Setting

Employer representatives expressed some frustration with the PPCC agendas. They are concerned that it does not always reflect the issues that should be addressed. They believe the agenda should be driven by the “large” issues and focused on items such as “reducing risk”, and new ways of driving down the injury rate. They also believe that more attention should be paid to establishing the evidence base for policy and regulatory initiatives, and reviewing the effectiveness of policy and regulatory measures that have already been introduced. Employer comments also focused on:

- a desire to have more input into shaping the policy and regulatory priorities
- interest in having an opportunity to understand and discuss the “bigger picture” strategy questions
- interest in having more “upfront” input before an issue is fully developed.

Worker representatives do believe they have an opportunity to ask for items to be on the PPCC agenda and would like to be more active in providing input. Worker representatives also commented on:

- needing more information about the source of issues, and how they became a priority,
- having additional input into priority setting and strategic issues “upfront”.

On the question of how best to structure new opportunities for strategic discussion, several options were proposed, including:

- holding an annual or semi-annual meeting with Senior Executive members to learn about current strategic initiatives and have an open dialogue about key issues and priorities
- convening an annual committee retreat, and
- dedicating time on each PPCC agenda to “bigger picture” issues.

4.6 Capturing PPCC Discussion and Input

Some interview comments focused on how PPCC discussions are recorded and communicated. In particular, employers feel the process would benefit from a new approach to capturing and communicating PPCC discussion. They believe it is important for the Board of Directors to have a clear understanding of the input committee members provide on a specific issue. They expressed some concern that the Board of Directors may not be clear that the PPCC’s role can range from receiving a presentation, to providing input on the length and nature of the consultation process, to having a subcommittee struck to look more closely at the substance of an issue.

Employer members also highlighted the fact that the PPCC Minutes are distributed broadly within their community, and are an important vehicle for sharing information about the PPCC discussions and expressing positions on issues.

4.7 Workload

Both worker and employer representatives pointed to the difficulties in engaging effectively with the breadth and diversity of issues on the PPCC agenda, and the related challenge of establishing structures within their communities to support the content knowledge required to provide credible input at meetings.

Despite concerns about workload, worker representatives expressed a strong belief that it is important to have an opportunity to discuss all the issues and hear the different views.

Both employers and workers would value additional lead time for issues and agenda time for dialogue.

5. The Stakeholder Engagement Process

5.1. General

It is self-evident that stakeholder engagement is fundamental to doing business in today's public sector organizations. The question is not whether to consult, but how best to do it. To this end, there are countless frameworks and "how to" guides about planning and executing successful engagements.³

Before turning to my consideration of the PPCC interview themes, I want to briefly set out some of the general principles of stakeholder engagement that have informed my observations and recommendations.

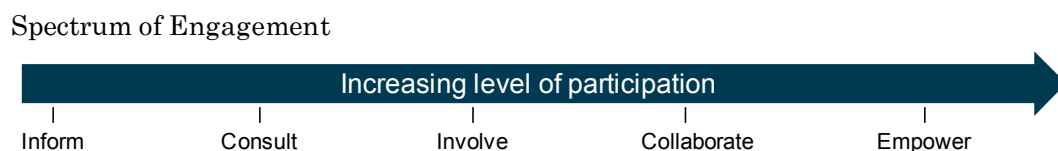
Definition of Stakeholders

Stakeholders are individuals or groups who affect, or who are affected by an organization and its activities. Primary stakeholders are those who have a direct stake in the organization and its success based on their level of influence, responsibility, proximity, dependency, or based on the fact that they represent a significant community of interest.

For example, the PPCC industry members are primary, representative stakeholders for WorkSafeBC.

Reasons to Engage

Where stakeholder engagement was once seen in terms of a defensive response to criticism, or as a negotiation of polarized interests, it is increasingly seen as contributing to organizational resilience and flexibility. In practice, there are numerous reasons why organizations consult, and these reasons differ from issue to issue. They are often placed on a spectrum, ranging from "informing" to "empowering".



Engagement Methods

Engagement methods are the means by which stakeholders opinions and views are sought. Methods can include surveys, public hearings, written comments on discussion papers, face-to-face meetings, webcasts, and working groups. Technology

³ See, for example, Canadian Policy Research Networks Citizen Engagement resource site at <http://www.cprn.org/theme.cfm?theme=109&l=en>.

is increasingly used to facilitate collaborative discussion and dialogue. In many cases, a number of alternative methods will be used, sequentially or in combination, to ensure an effective process. The method chosen should be consistent with the reasons for engaged.

Stages

The stakeholder engagement process can be broken into four major stages:

1. **Prepare.** Thinking strategically about what to engage about, identifying issues and priorities, considering the purpose and objectives of consultation, mapping stakeholders to issues, and planning the engagement approach.
2. **Engage.** Carrying out the engagement, actively participating and receiving input, responding to questions, suggestions and requests for further information
3. **Decide.** Making informed decisions, taking action, and reporting back to stakeholders.
4. **Review.** Evaluating the engagement process and outcomes of the decision. Acting on the outcomes of the evaluation.

The following Table sets out the roles of WorkSafeBC and the PPCC for each of the four stage of engagement, based on the current PPCC terms of reference.

Stages of Engagement – Current WorkSafeBC and PPCC Industry Member Roles

	1. Prepare	2. Engage	3. Decide	4. Review
WorkSafeBC	<ul style="list-style-type: none"> • Identify issues and set priorities • Establish purposes and objectives of consultation • Map stakeholders to issues • Plan approach 	<ul style="list-style-type: none"> • Carry out the engagement • Receive input • Respond to questions, & requests for additional information • Manage expectations 	<ul style="list-style-type: none"> • Document and consider stakeholder input • Develop recommendations • Make decisions and provide direction • Report decisions back to stakeholders 	<ul style="list-style-type: none"> • Evaluate process and outcomes • Act on results of evaluation
PPCC members	<ul style="list-style-type: none"> • Contribute to identification of priorities • Review consultation plan & provide input on the process of engagement 	<ul style="list-style-type: none"> • Nature of involvement depends on issue: <ol style="list-style-type: none"> 1. Housekeeping – provide input during PPCC meeting based on community views 2. Policy or regulatory – participate in formal engagement process in keeping with approach and timeframe established in #1 3. Operational – provide input to WES as requested 	<ul style="list-style-type: none"> • Be informed about decision and share decision with broader stakeholder community 	<ul style="list-style-type: none"> • Participate in evaluation of process • Review results of evaluation and contribute to future success

Engagement Principles

The following principles summarize current “best practice” thinking about stakeholder engagement:⁴

- **Engage on issues that matter.** Focus on material issues that require decisions and action.
- **Engage the right stakeholders.** Identify the right stakeholders for the issue. Ensure the process is inclusive and diverse. Consider stakeholders’ expertise, level of influence, and willingness to engage.
- **Create shared value.** Use approaches that create value for all participants.
- **Have a defined process.** Establish the scope, objectives, roles, and rules of engagement at the outset.
- **Establish goals and manage expectations.** Make sure all parties have realistic ambitions and know the goals of the engagement. Be clear that stakeholder input is used to inform decision-making, but responsibility for the decision rests with the organization.
- **Provide adequate resources.** Devote adequate resources (time, money and people) to ensure success.
- **Choose the right format.** Choose the appropriate format to achieve the objective of the engagement. Structure the process to allow meaningful dialogue and participation.
- **Level the playing field.** Be sensitive to perceived or actual power differences.

5.2 Stakeholder Engagement at WorkSafeBC

WorkSafeBC understands the value of consultation, and has embedded a consultative approach throughout its organization. At the same time, it remains clear about its leadership and decision-making role.

WorkSafeBC does not have a formal statement on how and when it will engage. Rather, its approach is one developed over time, in response to changing issues, organizational and governance structures, roles and responsibilities, stakeholder requirements, executive decisions, and the broader environmental context.

⁴ These are adapted from a number of sources, including the Canadian Policy Research Networks Citizen’s Trends in Public Consultation in Canada (2005), and documents developed by Stakeholder Research Associates Canada Inc.

WorkSafeBC uses a number of different approaches to engaging stakeholders across its mandate, including:

- the PPCC, which is a formal structure to enable representatives of the worker and employer communities to provide ongoing advice and input,
- public hearings on occupational health and safety regulations as required by legislation,
- inviting comment by posting discussion papers on WorkSafeBC's website,
- industry specific consultations rooted in sector specific knowledge and relationships developed through WorkSafeBC's industry segmentation strategy,
- developmental consultations with subject matter experts or directly affected groups,
- topic-specific consultation with groups such as the Research Advisory Committee, or the Workers Compensation Advocacy Group which largely deals with issues relating to WorkSafeBC's Review Division, and
- Board of Directors and Senior Executive annual meetings with the Employers' Forum on Workers' Compensation, and with the BC Federation of Labour.

The PPCC plays a key and unique role amongst these forums. It frequently, jointly, and formally engages the primary representative stakeholders in the policy and regulatory development process, and keeps them up to date on significant operational issues. It provides a dependable, regular mechanism for ongoing briefings, enhanced working relationships, and a formal opportunity to raise questions and make suggestions.

6. Observations & Recommendations

There is no doubt that stakeholder consultation is hard work. It requires commitment, patience, and creativity. It requires the participants to set aside any preconceived notions in order to ensure what is being said is actually heard. And it requires renewed enthusiasm to engage in what can often be a frustrating process on all sides.

Furthermore, the politics of workers' compensation are complex and longstanding, and today's issues are often rooted in yesterday's discussions, debates and compromises. This can lead to several, less than desirable results:

- “consultation fatigue”, whereby the same people consider the same issues over and over again and little progress is made,
- a sense of staleness that stifles creativity and enthusiasm for the process,
- frustration that even though change and progress is made, these changes are not appreciated or acknowledged,
- a sense that stakeholder positions are “already known” and there is little new than can be said or heard,
- a “revisiting” of old battles,
- frustration over not being heard, a lack of trust, and suspicion and concern about motives, and what is “really” behind the words.

All of these sentiments were expressed, to a greater or lesser degree, during my interviews. But while there is some frustration at the moment with aspects of the committee's operations, there were also many positive comments about:

- underscoring the value of WorkSafeBC's consultation processes, and appreciation for the opportunity that the PPCC presents,
- recognizing that in many cases, the PPCC has had meaningful impact on the decision-making process,
- providing a constructive focus on how the process could be changed or improved to meet everyone's needs,
- demonstrating a willingness to be inclusive, to be open to suggestions and ideas, and to new ways of approaching old questions,
- a willingness to listen,
- a sense of untapped potential, and
- a strong desire to make the necessary changes and move forward.

The suggestions for improvement themselves often reflected the differing perspectives of workers, employers and the staff of WorkSafeBC, but taken together, they provide a solid foundation for moving forward.

6.1 Value of the Committee

The value of the PPCC as a vehicle for engaging primary stakeholders was underscored by the PPCC co-chairs and members, by the Chair of the Board of Directors, Board members, and by the President.

Recommendation

1. The PPCC should continue to play a key role in WorkSafeBC's primary joint stakeholder engagement process.

6.2 Role of PPCC Industry Members

The PPCC Terms of Reference provide for four major roles:

- **Advising on scope and methods** of consultation for issues that will have a significant impact on the worker and employer communities
- **Feedback on options and proposals** for resolving issues that do not require wider consultation (e.g. housekeeping items)
- **Receiving information** about significant operational issues
- **Identifying and bringing forward issues** of significance to their communities.

These terms describe a role that is about informing, advising, and about involving stakeholders in identifying issues. In contrast, comments from the PPCC industry members and employer representatives indicate that they see their role (or in some cases, their potential role) as much broader than what is currently in the Terms of Reference.

In my view, this disconnect is the source of much of the current frustration and needs to be resolved as soon as possible. At this juncture, what is required is:

- **Clarity of role and common understanding of purpose.** I believe the PPCC could benefit from a facilitated discussion about what the industry members' role is at each of the stages of engagement, what it is not, and what it should be into the future.
- An **understanding of how the PPCC fits** within the broader context of WorkSafeBC's stakeholder engagement activities.
- An **open and flexible approach** that accommodates the various stages of consultation, types of issues, shifts in priorities, and shifts in stakeholder perspectives.
- For each issue, an **explicit statement of the scope and objectives** of the PPCC discussion, versus the scope and objectives of the broader stakeholder engagement process.
- **Resources to facilitate the ongoing relationships and support** for the PPCC in their role. This includes time, people, and communication tools to help PPCC members and WorkSafeBC navigate agenda setting, facilitate information sharing and access, and proactively manage and address stakeholder issues.

Recommendations

2. PPCC members should engage in a facilitated discussion about their Terms of Reference with a focus on the role of industry members.
3. WorkSafeBC should develop a dynamic document setting out its approach to stakeholder engagement that continues to reflect changes in approach over time.
4. WorkSafeBC should build on existing communication tools and develop new tools to facilitate increased clarity about the scope and objectives of each stage of the consultation process.
5. WorkSafeBC should appoint a staff person to act as a liaison and provide strategic support to PPCC members and activities, as well as liaising with the Director of Governance in the Office of the Board of Directors.

6.3 Committee Process and Structure

There are many aspects of the PPCC that are working well. There is a high level of engagement and participation from both communities. Meetings are regularly attended by key stakeholder representatives and senior management within WorkSafeBC. They cover a range of policy, regulatory and operational issues. At the meetings I attended in August and September, questions were asked and answered, and opinions were freely expressed.

I believe the issues relating to committee process centre, in part, on what is a natural tension about how much input and say stakeholders should have into what WorkSafeBC does, and how it does it.

The current PPCC terms of reference make it abundantly clear that WorkSafeBC is responsible for “steering the ship”. In my view, this is both necessary and appropriate. At the same time, I hear the desire for more dialogue, and opportunity for fulsome committee discussion of significant issues. And I am confident that this can largely be accommodated within the current committee structure.⁵ Such opportunities can already be found in the “pre-consultation” process that is used for regulatory issues, and in the use of subcommittees or task groups for specific issues.

When considering committee structure and process, it is important to note that the PPCC is not a negotiation table. It is, however, a table where workers and employers need to be, and need to be seen to be, on equal footing in their engagement of the issues. The current structure formally provides for such equal footing, and this is a principle that should be maintained.

To this end, I agree that under no circumstances should participation by one side or another overwhelm the dialogue. If questions of imbalance do arise because of participation of non-members (on either side of the table) these are best resolved during the PPCC meeting, or through direct dialogue with the PPCC co-chairs. The same principles apply to WorkSafeBC staff participation in meetings.

A protocol setting out the principles for meetings will also help establish clearer ground rules and minimize any future process concerns.

Recommendations

6. The current PPCC structure and composition should be maintained.
7. A process protocol should be developed for PPCC meetings.

⁵ Recommendations regarding strategic dialogue are also set out in section 6.5 below.

6.4 Access and Transparency⁶

PPCC members experience a high level of access to information and senior staff both during the committee meetings, and in response to requests from individual members. In addition, the new systems implemented by WorkSafeBC to enhance access and transparency of the consultation process appear to be working well.

Stakeholders have expressed strong interest in having more information about the source, drivers, and objectives of policy, regulatory and operational initiatives. They are also interested in the consequences of the decisions, that is, how “effective” the approach is in meeting its stated objectives.

These requests can easily be accommodated. As WorkSafeBC staff have noted, the requested information is similar to what is currently set out on the Board of Directors submission cover page. The cover page includes sections on:

- What is the nature of the problem to be solved?
- How would we know that we’ve been effective?
- Issue and goal in addressing the issue

For the purposes of the PPCC, this should be expanded to include:

- Is this on the annual plan or a new issue? If it is a new issue, what is the source and driver?
- Who has been consulted to date?
- What are the specific questions for the PPCC members?

Recommendations

8. Where applicable, the following should be included in the PPCC materials:

- What is the nature of the problem to be solved?
- What is the goal in addressing the issue?
- How would we know that we’ve been effective?
- Is the issue on the annual plan? If it is a new issue, what is the source / driver?
- Who has been consulted to date?
- What are the specific questions for the PPCC members?

⁶ In addition to the comments set out in this section, I also note the questions raised in the interviews about how best to reach stakeholders who are directly impacted by WorkSafeBC decisions. This is an important question that does not fall within my terms of reference. It is perhaps more appropriately considered by WorkSafeBC, in dialogue with the PPCC and other industry stakeholders as appropriate.

6.5 Priorities and Agenda Setting

Responsibility for setting the agenda for individual PPCC meetings rests with the co-chairs. PPCC members have been encouraged to provide input into the agenda if there are issues they would like to discuss. Responsibility for strategic priority setting rests WorkSafeBC's Board of Directors and Senior Executive Committee. The opportunities for stakeholder input into this process are set out below.

To support the annual priority setting process for policy and regulatory matters, the Policy & Regulation Division has developed an annual planning cycle. External stakeholders are involved in this process by:

- identifying issues for inclusion on the plan,
- providing input on the draft workplan through discussion at a PPCC meeting,
- providing comments on the draft plan posted on the WorkSafeBC website.

Once the annual plans are approved by WorkSafeBC's Board of Directors, they are shared with the PPCC members and broader stakeholder communities. These plans are not static, but are adjusted throughout the year as new issues arise. The PPCC members are advised of any changes.

During the interviews I heard a strong interest in having an expanded dialogue on the “big picture” strategic issues and priorities. These comments were tied to a concern that the priorities do not always reflect those of the key stakeholder communities, and that more focus needs to be put on establishing the evidence base for decisions and evaluating the “effectiveness” of current policy and regulatory measures.⁷

Various options for structuring this dialogue were proposed. In my view, the best approach is to establish a strategic forum for the Senior Executive Committee, PPCC members, and other key representatives to share information and discuss key issues and priorities. This could be seen as an “expanded” PPCC meeting. It would occur annually, or more frequently at the call of WorkSafeBC in consultation with stakeholders.

During my interviews it was noted that the annual meeting between the Board of Directors and the Employers' Forum did not take place this year for scheduling reasons. These informal meetings are valued by both the Board and stakeholder communities, and provide an important opportunity for stakeholders to meet directly with WorkSafeBC decision-makers.

⁷ The PPCC members received a presentation on WorkSafeBC's effectiveness initiative at the meeting I attended in August.

Recommendations

9. A forum for strategic dialogue about issues and priorities between an “expanded” group of community representatives and WorkSafeBC senior executives should be established.
10. The practice of annual, informal meetings between the WorkSafeBC Board of Directors, Senior Executives, and key stakeholder groups should be continued.

6.6 Capturing PPCC Discussion and Input

The issue of how PPCC discussion and input is communicated to the Board of Directors was raised by several employer representatives.

There are a number of practical ways of ensuring everyone has a common understanding about how PPCC input is communicated to the Board of Directors. The President identified what is perhaps the most straightforward approach. That is, to share with the PPCC members the statement of their input (where applicable) that is to be included in the submission to the Board of Directors.

The intent of this approach is to enhance transparency. It would provide a check-in point for both PPCC industry members and WorkSafeBC to ensure a common understanding of the nature and intent of the comments that were provided.

The PPCC members also suggested that the minutes of the PPCC meetings should be distributed to WorkSafeBC’s Priorities and Governance Committee, which includes the board chair, president, and board members from the worker and employer communities.

Recommendations

11. The minutes of PPCC meetings should be distributed to the members of WorkSafeBC’s Priorities and Governance Committee.
12. A copy of the statement of PPCC input provided to WorkSafeBC’s Board of Directors should also be provided to the PPCC (where applicable).

6.7 Workload

The issues relating to PPCC workload are about both the breadth and volume of materials. There is an obvious tension between concerns over workload and the desire for an expanded role. Some of these tensions may be resolved through the dialogue on the committee Terms of Reference and the industry members' role.

In the meantime, it seems reasonable that issues, timelines and workload can generally be navigated with the assistance of the PPCC manager / liaison. It may also be possible to use new technologies to facilitate both the engagement process and the PPCC's work.

Recommendations

13. The PPCC manager / liaison should support PPCC members in navigating issues, materials, timelines and workload.
14. WorkSafeBC should explore the use of new technologies to facilitate the engagement process and help manage the PPCC's workload.

6.8 Implementing Review Recommendations

After I issued a draft version of this report to stakeholders, I had the opportunity to meet again with labour and employer representatives to discuss its contents. One of the questions that emerged during these discussions was how best to maintain the momentum for change resulting from the review process. It was generally agreed the new PPCC manager / liaison will play a critical role, and that the PPCC members themselves are critical to an effective implementation process.

It was suggested that the PPCC manager / liaison work should closely with the PPCC co-chairs and members to ensure timely implementation of the recommendations. It was also suggested that an initial "check in" with the PPCC take place within 3 months, and that regular updates be provided to the members. I was asked to add this to my recommendations.

Recommendation

15. The PPCC manager / liaison work should closely with the PPCC co-chairs and members to ensure timely implementation of the recommendations, and provide quarterly progress reports to the PPCC.

7. List of Interviewees

Doug Alley, Vice President Human Resources, BC Business Council

Dave Anderson, President and CEO, WorkSafeBC

Terry Brown, Employer Representative, Board of Directors, WorkSafeBC

Anne Burch, Director, Prevention Policy and Regulation Review, WorkSafeBC

Jill Callan, Chair, Workers' Compensation Appeal Tribunal

David Earle, Director, Employers' Advisers Office*

Roberta Ellis, VP Policy, Investigations and Review Divisions, WorkSafeBC**

Steve Hunt, Worker Representative, Board of Directors, WorkSafeBC

Frances Kerstiens, Health Employers Association of BC*

Roslyn Kunin, Chair, Board of Directors, WorkSafeBC

Lee Loftus, International Union of Operating Engineers*

Ian May, Coast Forest and Lumber Association

Ed McClosky, Director Research Secretariat, WorkSafeBC

Grant McMillan, Council of Construction Associations

Diana Miles, VP Worker and Employer Services, WorkSafeBC**

Sheila Moir, Health and Safety Director, BC Federation of Labour*

Kevin Molnar, Acting Director Compensation and Assessment Policy, WorkSafeBC

Ian Munroe, Director, Worker and Employer Services Operations, WorkSafeBC

Rob Nicholls, Metro Vancouver (Greater Vancouver Regional District)*

John Panusa, Director Governance, WorkSafeBC

Joe Pinto, Chief Review Officer, WorkSafeBC

Betty Pirs, Executive Director Prevention Services, WorkSafeBC

Ramona Soares, Director, Workers' Advisers Office*

Mona Sykes, BC Government Employees' Services Union*

*PPCC member

**PPCC co-chair

Appendix 1

REVISED April 10, 2006

TERMS OF REFERENCE POLICY AND PRACTICE CONSULTATIVE COMMITTEE (“PPCC”)

MEMBERSHIP

The Policy and Practice Consultative Committee (“Committee”) consists of the Director - Employers' Advisers; the Director - Workers' Advisers; the Vice-President, Policy and Research Division (“PRD”); the Vice-President, Worker and Employer Services Division, or designate, and up to three representative(s) from each of the worker and employer communities. The community representatives are nominated by the worker and employer communities. The Vice-President, PRD, and the Vice-President, WES are the Co-Chairs of the Committee.

ROLES AND FUNCTIONS

The Committee provides the following advice to the Senior Executive of the Workers’ Compensation Board (“WCB Executive”), upon request:

- scope and methods of public consultation on discussion papers and other materials developed by the Workers’ Compensation Board (“WCB”) that will have a significant impact on the various stakeholder communities (e.g., policy and regulatory issues and their interpretation through practice directives or guidelines; major program initiatives); and
- feedback on options or those proposals for resolving issues that do not require wider consultation (e.g., housekeeping policy changes).

The Committee will also provide an opportunity for:

- Divisions to report out on operational issues discussed by WCB/employer and WCB/worker working groups, where the issues and/or their resolution could have broader policy, regulatory, practice or program implications; and

- stakeholders to identify and bring forward any significant policy, regulatory, practice and program issues to WCB Executive and/or the Board of Directors.

Notwithstanding the advisory nature of the Committee:

1. Accountability for policy and regulatory development remains with the PRD;
2. Accountability for practice and program development and implementation remains with the responsible Vice-President;
3. The Committee will not deal with individual worker or employer issues;
4. The Committee will not deal with matters that are primarily of an operational nature; and
5. The Committee will not impede management's right to manage its employees and its operations or to provide general or specific direction to staff.

MEETINGS

Meetings will be held monthly unless otherwise decided by the Co-Chairs. The Co-Chairs will set the agenda and dates for each meeting in consultation with the Divisions and membership.

REVIEW & CONTINUANCE

The Co-Chairs will, periodically, consult with the members and their communities or Divisions, and make any necessary amendments to these terms of reference.