

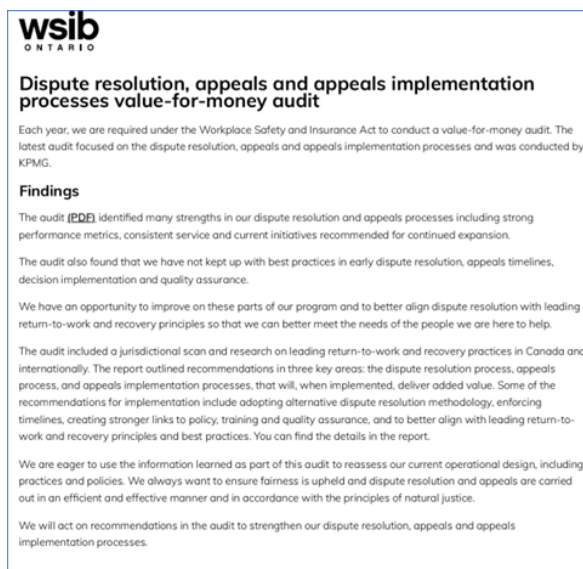
**From:** L.A. Liversidge <[lal@laliversidge.com](mailto:lal@laliversidge.com)>  
**Sent:** Tuesday, February 21, 2023 4:22 PM  
**To:** Consultation Secretariat <[Consultation\\_Secretariat@wsib.on.ca](mailto:Consultation_Secretariat@wsib.on.ca)>  
**Subject:** Appeals KPMG VFMA

Consultation Secretariat:

I have read the WSIB notice re the “**Dispute resolution, appeals and appeals implementation processes value-for-money audit**” (link [here](#) and replicated below). It is unclear if the Board is planning on a public consultation process, similar to the process engaged in 2012, and which resulted in the “new” process (i.e., the current process), as described in the six page May 2014 WSIB document (no longer on the WSIB website) “**Modernizing the Workplace Safety and Insurance Board’s Appeals Program.**”

It would be greatly appreciated if you would advise if a consultation is being planned. A related question. While the Board’s web announcement declares, “*We will act on recommendations in the audit to strengthen our dispute resolution, appeals and appeals implementation processes,*” no specifics are set out. This leads to a series of questions, such as but not necessarily limited to: a) What specific recommendations will the Board be implementing?; b) Are there recommendations in the KPMG report that the Board will not be considering or implementing; c) Is the Board still developing specific changes it will be implementing? There are more. All in all, the Board’s web announcement is somewhat unclear as to what the next specific steps are, when they will be articulated and whether or not stakeholders will be engaged in a future consultation process. Any clarification that can be provided would be greatly appreciated.

Thank you. Regards, LAL



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**Dispute resolution, appeals and appeals implementation processes value-for-money audit**

Each year, we are required under the Workplace Safety and Insurance Act to conduct a value-for-money audit. The latest audit focused on the dispute resolution, appeals and appeals implementation processes and was conducted by KPMG.

**Findings**

The audit (PDF) identified many strengths in our dispute resolution and appeals processes including strong performance metrics, consistent service and current initiatives recommended for continued expansion.

The audit also found that we have not kept up with best practices in early dispute resolution, appeals timelines, decision implementation and quality assurance.

We have an opportunity to improve on these parts of our program and to better align dispute resolution with leading return-to-work and recovery principles so that we can better meet the needs of the people we are here to help.

The audit included a jurisdictional scan and research on leading return-to-work and recovery practices in Canada and internationally. The report outlined recommendations in three key areas: the dispute resolution process, appeals process, and appeals implementation processes, that will, when implemented, deliver added value. Some of the recommendations for implementation include adopting alternative dispute resolution methodology, enforcing timelines, creating stronger links to policy, training and quality assurance, and to better align with leading return-to-work and recovery principles and best practices. You can find the details in the report.

We are eager to use the information learned as part of this audit to reassess our current operational design, including practices and policies. We always want to ensure fairness is upheld and dispute resolution and appeals are carried out in an efficient and effective manner and in accordance with the principles of natural justice.

We will act on recommendations in the audit to strengthen our dispute resolution, appeals and appeals implementation processes.

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