

ANNUAL REPORT

2022-23

August 2023

INSURANCE
BROKERS

CODE
COMPLIANCE
COMMITTEE



We acknowledge the traditional custodians of the different lands across Australia and pay respect to elders past and present.

For they hold the songlines

The stories

The traditions

The culture

And the hopes of First Nations Australia.

This land is, was, and always will be traditional First Nations country.

We also acknowledge and pay respects to the traditional custodians of the lands on which we work: the Wurundjeri, Boonwurrung, Wathaurung, Daungwurrung and Dja Wrung peoples of the Kulin nation and the Gadigal people of the Eora Nation.

Contents

ABOUT THIS REPORT	4
CHAIR'S MESSAGE	5
OUR YEAR.....	7
THE INDUSTRY	8
THE CODE	9
OUR ROLE.....	10
OUR ACTIVITIES	11
ENGAGEMENT	19
LOOKING AHEAD	22
THE COMMITTEE	23
THE CODE TEAM	26
FINANCES	28

About this report

This Annual Report presents the work of the Insurance Brokers Code Compliance Committee (the Committee) for the 12 months from 1 July 2022 to 30 June 2023.

It highlights our efforts in monitoring compliance with [the Insurance Brokers Code of Practice](#) (the Code), promoting good practices among insurance brokers that subscribe to the Code, and improving outcomes for their clients.

Chair's message

It was a significant twelve months with the new edition of the Code coming into effect on 1 November 2022.

The 2022 Code

Much of our focus and efforts throughout the year were on implementing the 2022 Code and making sure subscribers had the guidance and support needed to transition smoothly.

The level of preparedness in the industry was encouraging.

Subscribers understood the new obligations in the Code and generally were able to integrate them into systems and processes that ensured uninterrupted compliance. This is the basis for the ultimate goal – good outcomes for clients.

It is worth noting that these efforts came amidst a turbulent year for clients and brokers. Rising inflation and significant weather events put pressure on the industry, but its resilience allowed for continued improvements.

Clients experiencing vulnerability

The 2022 Code has a greater focus on supporting clients experiencing vulnerability. This is becoming an increasingly important aspect of operations for brokers, and the Code addresses it in specific obligations.

Vulnerability can affect anyone at any time. Over the last year we saw this with increased environmental catastrophes and cost of living pressures.

Brokers that understand consumer vulnerability and provide an inclusive and flexible approach are better placed to meet a diverse range of stakeholder needs. These brokers will make it easier for consumers to access services and information and make good decisions, leading to positive outcomes.

Supporting vulnerable clients is an imperative that must feature in the systems and processes for brokers and we expect them to consider the new obligations carefully in improving their practices.

Quality of reporting

This year showed us that, unfortunately, reporting in the industry still needs to improve significantly.

While there was a slight increase in the number of subscribers that reported breaches and complaints, it was not enough.

Far too many subscribers again reported zero breaches and complaints in their Annual Compliance Statements in 2022-23. This indicates a deep cultural issue with reporting or a lack of understanding of the importance of reporting.

We have expressed concern about this previously and put great effort into encouraging better practices to compliance and reporting.

I want to reiterate a message: simply not reporting breaches and complaints is not a shortcut to perfect compliance and a good reputation.

Things go wrong even in the best organisations and reporting breaches and complaints is a strong indicator that a business has the right systems and processes in place to manage issues as they arise.

The Code can only be successful if subscribers properly identify, report and address breaches.

Over the next 12 months we will work closely with the National Insurance Brokers Association (NIBA) and other key stakeholders to address this issue.

The 2022 Code provides subscribers with the perfect opportunity to improve processes and develop a culture that values transparency and reporting in the pursuit of good outcomes for clients.

Update on IBCCC members

I am pleased to confirm that David Duffield was re-appointed by NIBA for a third and final term of three years as the Committee Industry Representative, effective 1 January 2023. David's depth of experience and his passion for the industry is invaluable to our work.

I farewell and thank our inaugural Alternate Industry Representative, John JT Phillips, who served a maximum of three terms. It was valuable to have an alternate to step in for us when required.

Appreciation

I would like to acknowledge NIBA and express my thanks to CEO Philip Kewin, President Gary Okely and former President Dianne Phelan, as well as the NIBA Board members for their ongoing engagement. We would not have been able to deliver outcomes and make progress without NIBA and its engaged staff.

I also extend my appreciation to AFCA's CEO, David Locke and Lead Ombudsman Insurance, Emma Curtis for their support under the AFCA shared services arrangement.

A sincere thank you to my colleagues David Duffield and Drew MacRae for their valuable insights and positive contributions during the year. And I am always grateful for the ongoing support of our Code team for its essential work.

I look forward to another busy and productive year in 2023–24.

Oscar Shub

Independent Chair

Insurance Brokers Code Compliance Committee

Our year

KEY REPORTS



Annual Data Report

A thorough analysis of the data that subscribers provided in the 2021 Annual Compliance Statement (ACS). It is an insightful look at the sector and includes guidance and lessons for subscribers. Published in April 2023.



Individual Benchmark Reports

Reports for each subscriber based on breach and complaints data in the ACS on breaches and complaints. The data offers valuable insights into compliance as each Report allows a subscriber to measure its performance across the industry. Provided in November 2022 and June 2023.

KEY INQUIRIES



Good practice and company culture

Inquiry into how subscribers drive good behaviours and encourage a culture of compliance within their organisations. Report published in November 2022.



Ongoing inquiries

- Inquiry into subscribers that reported zero breaches and complaints in the 2022 Annual Compliance Statement.
- Inquiry into how subscribers prepared for and implemented the 2022 Code, and how they report on compliance to their Boards or Executive Management.
- Inquiry into how subscribers assist clients experiencing vulnerability.

KEY GUIDANCE

187 Direct engagements with subscribers

To provide guidance and verify breach and complaints data.

10 Responses to stakeholders

To clarify issues and provide information about compliance with the Code.

5 Articles

To provide guidance to subscribers.

2 Annual Compliance Statement webinars

To help subscribers understand and complete their Annual Compliance Statements. Webinars were attended by over 150 participants.

The industry

Based on our analysis of industry compliance with the Code, we help subscribers improve their practices. We highlight areas of concern and suggest where operations need reviewing and improving to achieve better outcomes for clients.



In 2022-23 we saw thousands of breaches, which provided a comprehensive view of industry compliance and shaped our approach to guidance and support.

BREACHES & COMPLAINTS 2022



Breaches: 3,405 (3,570 in 2021) | Complaints: 2,252 (1,742 in 2021)

A demanding and successful year was also a reminder that there is more work to do in encouraging better practices.



Reporting went up: 55% of subscribers reported breaches (48% in 2021), 61% reported complaints (55% in 2021)

A reflection of our extensive efforts to encourage subscribers to embrace a culture of reporting.



Breaches had a financial impact of \$3.2m, affecting 412,800 clients

A reminder of the tangible effects of breaches and the importance of our work encouraging better practices.



Most common cause of breaches: process and procedures not followed (38%)

Insights into performance that can shape our efforts to help subscribers improve.



Most common area of complaints: service issues (41%)

An indication that there is still room for improvement on service provision.



175 SUBSCRIBERS REPORTED NO BREACHES

152 SUBSCRIBERS REPORTED NO COMPLAINTS

A concerning result that remains an important focus area for us.

The Code

About the Code

The [Insurance Brokers Code of Practice](#) (the Code) sets important obligations that ensure high standards for the insurance brokers that have agreed to follow it.

Owned and published by [the National Insurance Brokers Association](#), it is an integral part of the regulatory system and broader framework for consumer protection.

Subscribing to the Code commits a broker to professional conduct, ethical behaviour, transparency, and accountability.



The Code was updated in 2022 and the new version came into effect on 1 November 2022 (except Section 6.1 'Disclosing Remuneration', which comes into effect 1 November 2023). It contains a set of guiding principles and outlines nine areas with specific obligations for the services that subscribers deliver across Australia.

Subscribers must meet their obligations in the Code and should integrate the Code principles into their compliance frameworks and company culture.

Subscribers

We categorise subscribers according to the number of full-time equivalent (FTE) staff. See our website for [the complete list of subscribers](#).

At 30 June 2023, the Code had 429 subscribers with 1,920 branches Australia-wide.



Micro businesses employing less than 20 FTE staff comprise 287 subscribers, the most of any category. The insurance broking sector employs over 15,000 FTE staff and represents nearly half (47%) of gross written premium.

The largest number of subscribers are in NSW (590), followed by Victoria (473) and Queensland (458). Subscribers that employ more than 100 FTE staff account for the most branches (1,242).

Our role

We are an independent body that monitors compliance with the Code, encourages best practice, and improves outcomes for clients.

The Committee Charter provides for us to undertake the following functions:

- Monitor compliance with the Code
- Collect and analyse data
- Identify areas for improvement
- Provide guidance
- Publish findings
- Engage with stakeholders

We also have the power to issue determinations and impose sanctions when fair and appropriate in the circumstances.

In addressing issues, our first step is to work with a subscriber to rectify what went wrong and support their compliance with the Code.



We are supported by a dedicated Code Team that provides the monitoring and administrative services needed to fulfil our functions and ensure good outcomes for clients. The Code Team works within [the Australian Financial Complaints Authority](#) (AFCA) alongside four other code compliance committees.

This arrangement allows the Code Team to learn from other committees and teams, share insights and information about compliance, and develop ways to help shape company culture.

The importance of self-regulation

Self-regulation involves the financial services industry setting its own standards of conduct and enforcing these standards through self-monitoring, reporting, and remediation.

This model allows the industry to demonstrate a commitment to ethical and responsible behaviour, helping to build trust with consumers and investors. It also reduces the need for costly and time-consuming regulatory intervention.

The Code is a fundamental element of successful self-regulation. Our work monitoring the Code is crucial to the success of the self-regulation model working to its full potential.

By ensuring compliance with the Code and by pushing the industry to improve practices in all facets, we provide a service that generates better outcomes for brokers and clients alike.

Our activities

Our work in 2022-23 was driven by our core purposes:

- Assessing compliance with the Code
- Highlighting risks and good practices
- Guiding subscribers to improve compliance and outcomes for clients.



Transition to the 2022 Code

A significant focus in 2022-23 was ensuring a smooth transition to the 2022 Code, which came into effect on 1 November 2022.

We embraced the opportunity to maintain consumer protections by ensuring subscribers had updated systems, processes and practices to deliver on the promises and commitments in the 2022 Code.



**We are grateful for the support that the IBCCC provides...
The resources during the transition period were of great
value and we were able to hit the ground running.**



- *Category E subscriber*

The 2022 Code provides a set of underlying principles which support the compliance framework of a company and help shape the company's culture.

It has a clearer structure than the previous version and contains new obligations in a range of areas

- Terms of engagement
- Policy renewal
- Communication
- Training
- Remuneration disclosure
- Complaints handling
- Claims management
- Clients experiencing vulnerability

The Code comes with information that provides guidance to subscribers and helps people understand their rights.

We aligned reports and data analytics and provided crucial guidance and support to subscribers as they shifted to the 2022 Code.



Developing the frameworks and processes that effectively monitor, record and report on compliance with new obligations in the 2022 Code was a significant task for many brokers. Our guidance and support in this area helped to make this task achievable.

“ We were quite worried about the 2022 Code given the significant changes. As a small organisation, we found it all quite daunting. However, [‘Comparing the Codes – how the 2014 and 2022 Codes differ’](#) provided guidance on the important changes between the Codes. ”

- Category E subscriber

A key element was ensuring our Annual Compliance Statement (ACS) Program for 2022, which we developed in consultation with NIBA and the industry, adequately covered both the 2014 and 2022 versions of the Code.

Our video conferences with subscribers proved invaluable for helping us better understand the processes and procedures of subscribers. We created webinars that offered useful instructions for applying the Code and reporting breaches.

Both communication channels provided opportunities to discuss ways subscribers can embed effective frameworks to monitor breaches and complaints.

“ The Tip of the Month [‘Complying with the 2022 Code’](#), published in November 2022, helped us complete a smooth transition to the 2022 Code. ”

- Category D subscriber

We tailored engagement to enhance the quality of each subscriber’s data and ensure each subscriber could rectify the issues it identified.

Breach reporting

Each year, subscribers report breaches and complaints to us in their Annual Compliance Statement. The information we receive helps us identify current and emerging risks and produce meaningful guidance to support subscribers.

Assessing compliance with the Code is a key element of our monitoring work.



We support subscribers in the form of our Individual Benchmark Reports, which provide each one with a view of its performance and a comparison with peers and the industry. These reports help subscribers of all sizes assess their practices and identify areas in which they can improve.

Our 2021 Annual Data Report, a comprehensive analysis of breaches and complaints across the industry, was a key publication for sharing insights with subscribers, the industry and the public. Along with the data analysis, the report detailed our observations on general compliance with the Code, shared examples of good practice, and offered important recommendations.

Our 2022 Annual Data Report will be published later in 2023.

Compliance culture

Encouraging a culture of positive breach reporting has been a focus for the past three years.

The number of subscribers that reported no breaches or complaints in 2022 suggests there remains a culture in a number of subscribers that fails to value or understand self-reporting. This is a concern.

We consider zero breaches to be highly unlikely. We question the monitoring and reporting systems of subscribers that continually report no breaches or complaints.



Our work revealed that 175 subscribers reported no breaches, and 152 subscribers reported no complaints in 2022. These include subscribers with over 50 FTE staff.

While we acknowledge the broad nature of the previous version of the Code may have, in part, contributed to the lack of reporting, we are concerned there is a deeper cultural issue with reporting for many subscribers.

With the 2022 Code fully operational in 2023 and following our efforts of the past year to remind subscribers of the importance of quality reporting, we expect to see a shift in the culture towards reporting.

Breaches of the Code in 2022

Our analysis of breaches in 2022 provided valuable insights into issues, trends and risks from which we can offer guidance and support to subscribers.

We found breaches of the Code decreased to 3,405 in 2022, down from 3,570 in 2021.



The most common areas of the Code with breaches in 2022 were:

- buying insurance on behalf of clients, including specific obligations concerning policy renewals (41%)
- claims management (29%).

The 2022 Code contains obligations specific to these areas which will help us identify issues in more detail and produce more targeted guidance for subscribers.

Impact and severity of breaches

Breaches of the Code have significant effects on the industry and its clients. In 2022, breaches affected 412,800 clients and had a financial impact of \$3.2 million. There were 113 breaches that subscribers reported to [the Australian Securities and Investments Commission](#) (ASIC).

The majority of the breaches were identified as a Grade 1 breach – an action or incident that requires management attention but does not impose a serious risk to business operations or the Australian Financial Service Licence (AFSL). There were 29 breaches identified as Grade 3 breaches, requiring urgent management attention and posing a serious risk to business operations.

Beyond this, the data revealed four breaches that were reported as posing a catastrophic risk to business operations.

Our monitoring work helped subscribers correctly identify and remedy breaches, leading to improvements that will mitigate future risks and minimise the likelihood of recurrence.



Self-reported complaints in 2022

Our analysis of complaints data provides a unique perspective that offers insights into industry practices from which we can identify issues to focus on.

We found that self-reported complaints increased to 2,252 in 2022, up from 1,742 in 2021.



While we do not celebrate an increase in self-reported complaints, we do find encouragement that subscribers appear to be taking steps to improve reporting and embracing a culture that values the benefits of reporting.

Subscribers report complaints using the categories for product/service, issue and outcome as defined in the [ASIC IDR Data reporting handbook](#).

The most common complaints that subscribers reported in 2022 were related to:

- Domestic insurance products (51%)
- Small business/farm insurance products (44%)
- Service-related issues (41%)

The themes that emerged from the complaints data provided an indication of potential risk areas and aspects of Code compliance that need attention.

Inquiries and reviews

Our inquiries and reviews are crucial elements of our monitoring work.

They highlight areas of risk and compliance that need attention and provide subscribers with guidance and support to help them improve their practices.

Our [Priority Monitoring Framework](#) underpins our work. It sets out the elements of our monitoring and identifies priority areas of focus



Good practice and company culture

We examined the progress subscribers had made on company culture in a follow-up report to our [Culture is Key](#) report, published in November 2021.

The good practices that lead to good outcomes for clients are stronger and more effective when supported by a good company culture.

Having alerted the industry to our views on the effects of culture in our report of 2021, we wanted to see whether practices had improved. We engaged consultants Behavioural Insights Team (Australia) to help evaluate subscribers through an in-depth questionnaire.

We published our report [Inquiry into Good Practice and Company Culture](#) in November 2022.

The inquiry revealed that many insurance brokers have good processes and procedures to facilitate a culture of compliance and ensure good outcomes for clients.



While the report found positives, it also noted areas in which subscribers could improve:

- Subscribers should incorporate multiple methods for training staff.
- Subscribers should strive to be proactive in their monitoring – avoid the inertia created by assuming everything is fine until there is a significant adverse event.

- Subscribers should continue to look out for systemic breaches, focusing on common root causes.

The report also showed innovative examples of good practice from a range of subscribers, demonstrating that all brokers, regardless of size, can implement processes that improve compliance frameworks and deliver better outcomes for consumers.

“ **Good Practice and Company Culture was well-received. Our staff said the report highlighted good processes which they can implement. It allowed them to reflect and see how they can improve.** ”

- *Category A subscriber*

With the 2022 Code now in effect, we encourage all subscribers to review their existing processes and procedures against the good-practice examples and recommendations in the report.

Inquiry into subscribers that reported zero breaches

Subscribers reporting no breaches or complaints is a concerning trend and will remain the focus of our efforts.

While our efforts to encourage better reporting saw an increase in the number of subscribers that reported breaches and complaints, there were still far too many that reported zero in 2022.

Addressing the issue forms part of our strategy to improve data quality and reporting, leading to improvements in the industry and better outcomes for clients.

We will conduct an inquiry into this trend, examining instances of subscribers reporting no breaches or complaints in the 2022 Compliance Statement.

It will assess information about processes, procedures, monitoring and training to understand the culture towards reporting and look at ways to encourage a more positive compliance outlook.

We expect the findings of this inquiry to be available in late 2023.

Inquiry into Code transition

How prepared subscribers were for the 2022 Code was key to their compliance while delivering quality services and good outcomes for clients.

Supporting the transition to a new Code was a significant part of 2022 for us and the level of preparedness in the industry offers an indication of the success of our efforts.

We examined how subscribers prepared for and implemented the 2022 Code in an inquiry, asking them for details about the governance processes, post implementation reviews and resource requirements.

The findings will offer valuable guidance and support for subscribers in establishing good practices and we expect them to be published in late 2023.

Inquiry into vulnerability

The way financial service institutions treat people experiencing vulnerability is an increasing concern and has become a focus of regulators and consumer advocacy groups.

Vulnerability must be a key consideration for subscribers when delivering services for clients, with the 2022 Code providing obligations for addressing client vulnerability.

To examine compliance, and to ensure subscribers are providing the right outcomes for vulnerable clients, we conducted an inquiry that asked for details about the policies, processes and training they have when working with people experiencing vulnerability.

The findings will shed light on this emerging issue of importance and offer subscribers guidance on ways to improve practices for better outcomes. We expect the findings to be available in early 2024.

Investigations

During 2022-23 we received two Code breach allegations. Following thorough assessment, both matters were closed and did not warrant investigation.

We work with subscribers to improve processes and procedures, initiate training and awareness, and cultivate positive compliance cultures.



Our responsibilities and powers to investigate alleged Code breaches are outlined in the Code and Charter. When someone seeks financial compensation in a complaint about a subscriber, it is handled by the [Australian Financial Complaints Authority](#) (AFCA).

Guidance

We provided a range of useful resources in 2022-23 that helped subscribers with various aspects of Code compliance and delivering good outcomes and offered valuable information to the public:

- **[Comparing the Codes – how the 2014 and 2022 Codes differ, July 2022](#)**
An essential guide to the changes between the 2014 and 2022 Codes that supported subscribers with transition.
- **[Our Priority Monitoring Framework, September 2022](#)**
Details about the model that we use to set priorities and manage our work helping subscribers comply with their obligations to the Code and improve client outcomes.
- **[Complying with the 2022 Code, November 2022.](#)**
A focused look at the new obligations in the 2022 Code and how subscribers can maintain compliance and deliver on their commitments.
- **[Company culture producing better outcomes for customers, November 2022.](#)**
A follow-up inquiry that examined how the culture and behaviour in subscribers shapes compliance with the Code and outcomes for clients.

2021 Annual Data Report, April 2023.

- Analysis of the breaches and complaints data for the 2022 period with insights into industry performance and valuable lessons for subscribers.

Webinar program, 2022-23

- Interactive sessions that provided subscribers with support for the Annual Compliance Statement.

“ The webinar helped us complete the Annual Compliance Statement and provided information on the details we need for Code breaches. The recording and slides helped all our staff understand the ACS process. ”

- *Category C subscriber*

Engagement

We engage with stakeholders to analyse the financial services environment, share knowledge of and insights into Code compliance, and influence positive changes in conduct.

Engaging with stakeholders was a vital part of our work and success in the past year.



Finalisation of the 2022 Code and Charter

Engagement was critical to finalising the 2022 Code and Charter, and throughout 2022-23 we consulted with NIBA extensively on both.

With our webinars, presentations and individual engagements, we provided important support to subscribers as they transitioned to the 2022 Code.



We raised multiple queries with the IBCCC during our transition to the 2022 Code and each time they responded quickly, clarifying doubts and ensuring we had all the information



- *Category E subscriber*

Over the coming year, we will continue to provide guidance to subscribers as they embed the 2022 Code into their frameworks and processes.

We will also review our own process and procedures to implement necessary changes as a result of obligations in the 2022 Code and the Charter.

Stakeholder engagement

We met with Code subscribers, industry representatives, regulators and consumer advocates throughout 2022–23 to share insights into our compliance monitoring work and get a better understanding of the industry.

We promoted our objectives of Code compliance with participation at multiple industry conferences and forums.

Industry

We worked closely with industry on our compliance monitoring and developed different communication channels to engage more effectively with the high number of Code subscribers:

- Engaged regularly with NIBA, owner of the Code and a key stakeholder, on issues and developments with the Code.
- Attended the virtual NIBA Summit in October 2022 and the NIBA Vic Industry Exhibition in Melbourne, May 2023.
- Met with [Steadfast, the largest general insurance broker network](#) and the largest group of insurance underwriting agencies in Australasia.
- Met with [the Australian and New Zealand Institute of Insurance and Finance](#) (ANZIIF), the leading insurance & finance membership, education, training and professionalism organisation.
- Engaged directly with all subscribers throughout the year via webinars, publications and our Annual Compliance Statement verification program.

Consumer advocates

We worked closely with consumer advocates on issues of importance for clients and their interests. They provided us with information on areas of concern and helped us improve our work to encourage better outcomes for clients:

- Attended the [Financial Counselling Victoria](#) (FC Vic) Conference 'Recovery. Resilience. Reconnection.' in Melbourne, September 2022.
- Attended the [South Australian Financial Counsellors Association](#) (SAFCA) Conference 'River of Change' in Adelaide, November 2022.
- Attended the [Financial Counsellors' Association](#) (FCAWA) Conference 'Lighten the Load' in Perth, November 2022.
- Met with representatives from [Financial Counselling Australia](#) (FCA) in March 2023.
- Attended the Financial Counselling Australia National Conference 'A seat at the table' in Canberra, May 2023.

Regulatory bodies

We met regularly with regulatory bodies to share insights from our work and explore opportunities for collaboration in addressing areas of concern:

- Engaged regularly with [the Australian Financial Complaints Authority \(AFCA\)](#) Executive Team and Senior Case Management concerning insurance and insurance broking matters.
- Presented at the AFCA Member Forum in August 2022.
- Engaged quarterly with [the Australian Securities and Investments Commission \(ASIC\)](#) General Insurance team.
- Attended the ASIC Forum in Sydney in November 2022.

Engagement with subscribers, regulators and consumer advocates is fundamental to understanding the industry and improving compliance and outcomes for consumers.



Looking ahead

The year ahead is likely to be challenging for clients and we expect subscribers to keep the interests of clients and the Code obligations at the forefront when delivering services.

Implementation of the 2022 Code

A significant focus in the coming year will be ensuring all subscribers have effectively implemented the 2022 Code.

We will monitor implementation of the 2022 Code carefully to offer more guidance and support to subscribers.



The issues that emerge from subscribers' efforts to comply with the 2022 Code will help shape our priorities in monitoring and determine the guidance publications that we offer the industry.

We will also work with other teams monitoring industry codes of practice to get insights and information about good practices and how we can apply them to our own work.

Compliance monitoring work

In 2023-24, our monitoring work will continue to focus on the quality of reporting from subscribers and encourage more proactive and positive cultures towards compliance.

We plan to conduct several projects focusing on improving the quality of reporting as well as undertaking comprehensive data collection and analysis of Compliance Statement reports.

Future engagement

Engagement is one of the cornerstones of our success and we will prioritise it again in 2023-24.

We look forward to continuing close engagement with NIBA as well as the regular interactions with subscribers on issues of compliance.

Our webinars are an important and effective means of engaging with subscribers across Australia, especially in rural and remote areas, on issues of compliance. They will, again, feature in our support in 2023-24.

We will continue to engage at the executive level with personnel from key regulatory and industry bodies, including Steadfast, Austbrokers and Council of Queensland Insurance Brokers (CQIB), to strengthen our relationships in the industry and learn from the range of perspectives and expertise available.

We have also created an Industry Working Group with key stakeholders to provide feedback on our compliance monitoring activities.

The Committee

As a Committee, we comprise three members: an independent Chair, an Industry Representative and a Consumer Representative.

Oscar Shub – Chairperson

Appointed: 1 January 2022
Term expires: 31 December 2024 (first term)



Oscar Shub is a part-time consultant with law firm Clyde & Co. He is also a Senior Member of the New South Wales Civil and Administrative Tribunal (NCAT) in the Occupational Division, presiding over disciplinary complaints against health practitioners for breaches of their respective codes of conduct. Prior to the establishment of NCAT, he performed the same role as chairman of hearings of the Health Practitioners Council of Australia.

While still in a full-time partnership at the law firm Allens Arthur Robinson (now named Allens), he was appointed as Chairman of the Appeals Division of the Pharmaceutical Associations Compliance Committee, dealing with complaints against pharmaceutical companies for breaches of their code of conduct.

For a number of years, Oscar also sat as a member of the former Superannuation Complaints Commission, hearing disputes between members of superannuation funds and fund managers. He was appointed to the Board of the Australian Reinsurance Pool Cooperation in April 2023.

Oscar is an experienced and accredited mediator. From 1989, he was involved in the setting up, development and teaching of mediation in Australia and has since participated in mediations both as mediator and acting on behalf of clients.

Drew MacRae – Consumer Representative

Appointed: 26 May 2022
Term expires: 25 May 2025 (first term)



Drew has previously been appointed as the Alternate Consumer Representative and has been acting as Consumer Representative following the resignation of Julia M Davis until his formal appointment in May 2022.

Drew is the Policy and Advocacy Officer at the Financial Rights Legal Centre in Sydney.

Drew has worked in policy development and advocacy for close to 20 years. At the Financial Rights Legal Centre, Drew has focused on insurance policy issues including researching and drafting the Guilty Until Proven Innocent Report into insurance investigations. He has also drafted submissions and advocated on both the General and Life Insurance Codes of Practice. Drew has

worked in credit and debt, including the Banking Code of Practice, Royal Commission and, more recently, the implementation of open banking and the Consumer Data Right.

Drew has a Bachelor of Laws from the University of NSW and a Bachelor of Arts (Mass Communications) from Macquarie University.

David Duffield – Industry Representative

Appointed: 1 January 2017

Term expires: 31 December 2025 (final term)



David commenced his insurance career as an insurance broker in 1973 working with Marsh Pty Ltd and its predecessor companies.

David has held the role of Australian Chief Executive for Marsh and, more recently, has been Chief Client Officer for Marsh in the Pacific. He worked actively with clients to understand their risk profile and design optimal risk financing and insurance solutions. David has also worked with clients on the settlement of large or complex claims. David retired from Marsh Pty Ltd in April 2018.

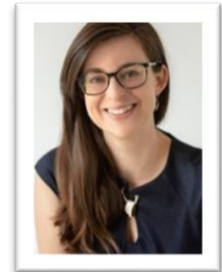
He was a NIBA Director for over 15 years, completing a two-year term as President, and has chaired the Finance Committee, Marketing Committee, and Conference Committee for the Association. The Insurance Brokers Code was developed and implemented during David's term as NIBA President.

With over 45 years' experience in the insurance industry, David has strong professional links and a well-established network in the insurance industry both in Australia and Europe.

Alternate Committee members

Julia M Davis – Alternate Consumer Representative

Appointed: 26 May 2022
Term expires: 25 May 2025 (first term)



Julia is the Senior Policy & Communications Officer at the Financial Rights Legal Centre, where she has been working to help advise and empower consumers in financial stress since 2013.

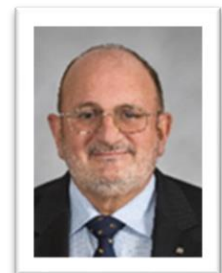
She is passionate about social justice and helping vulnerable people catch a break. She is a high energy and dynamic person who thrives on being a voice for groups that cannot advocate for themselves. She wants to influence systemic changes in law and industry practice that benefit people and help embed those changes so systems do not slip backwards.

Julia has a Juris Doctorate from the University of Florida Levin College of Law and a Masters in Human Rights Law from the London School of Economics. She is the Chair of Board for the Tenants Union NSW.

Julia formally served on the Committee as Consumer Representative from 2014 to 2022.

John JT Phillips – Alternate Industry Representative (outgoing)

Appointed: 1 January 2014
Term expired: 31 December 2022 (final term)



John is Director of J & R Phillips Services Pty Ltd and Non-Executive Director of Resilium Insurance Broking Pty Ltd, providing consultancy services to insurance brokers, claims providers and insurance underwriters.

He has wide experience in the insurance broking industry, including having been CEO of Steadfast Group Limited for 12 years.

At the time of writing, NIBA was seeking a replacement for John.

The Code Team

The Code Team operates within AFCA and comprises the General Manager, Deputy General Manager, and 2.5 full time equivalent staff dedicated to our monitoring and administration services.

Prue Monument – General Manager

Prue leads the strategic direction and operational management of the Code Team, ensuring delivery of compliance and monitoring functions for five Code of Practice in banking and insurance industries.

Prue previously worked at the Tertiary Education Quality and Standards Agency (TEQSA) as Executive Director Quality Assurance & Regulatory Operations. Prior to this, Prue was the Director of Compliance at the Australian Charities and Not-for-profit Commission where she was responsible for all compliance, investigations, and intelligence work.

She has previously held senior roles in the Department of Immigration and Border Protection including as National Manager of the Allegations Assessment Team and postings in Beirut and Shanghai. Prue has an Executive Masters in Public Administration and rich experience in regulation and self-regulation.



René van de Rijdt – Deputy General Manager

René van de Rijdt has worked in the Code team since 2017, initially as the Code Compliance Investigations Manager, and at AFCA and its predecessor schemes since 2011.

René has a background in law and external dispute resolution and holds a Bachelor of Law from Monash University and a Bachelor of Planning and Design from the University of Melbourne.



Daniela Kirchlindé – Senior Manager, Code Compliance

In addition to this role, Daniela manages compliance for the Customer Owned Banking Code of Practice.

Prior to this role, Daniela worked as Complaints and Compliance Manager at AFCA and its predecessor schemes from 1995.

Daniela has a background in dispute resolution and broad insurance industry experience in Australia, England and Germany. She holds a Bachelor of Commerce from the Cologne University (Germany) and a Graduate Diploma in Finance and Investment from the Australian Securities Institute Melbourne.



Amanda Rosario – Senior Code Compliance Analyst

Amanda leads the compliance monitoring work and projects for the Insurance Brokers Code of Practice under guidance and management of the Senior Manager.

Amanda has worked at AFCA and its predecessor schemes since 2018. Prior to working with the Insurance Brokers Code Compliance Committee, she worked as Compliance Analyst for the Banking Code Compliance Committee for two years.

Amanda has a background in law and holds a Bachelor of Law and Global Studies from the Australian Catholic University.



Finances

Our financial details for the period 1 July 2022 to 30 June 2023.

	30 June 2022	30 June 2023
Staff Costs	Based on 2.0 FTE	Based on 2.5 FTE
Gross salaries (including Committee remuneration, leave provisions, super, training and recruitment)	\$323,071	\$462,543
Operating Expenses		
Professional Assistance	\$42,921	\$14,551
Communications, Stakeholder Relations & Travel	\$4,088 ¹	\$19,397
Technology	\$20,304	\$23,423
Occupancy and Office Costs	\$21,291	\$30,742
Total Staff Costs and Operating Expenses	\$411,675	\$550,656
Total Funding from NIBA	\$459,923	\$585,685
Allocated funds from operating reserve	-	-
Annual Surplus/(Deficit)	\$48,248	\$35,029
Allocated funds from operating reserve	-	-
Closing Operating Reserves	\$71,491	\$106,520²

¹ Reduced expenses due to COVID-19 travel restrictions.

² Following discussions on 24 August 2023, the IBCCC agreed to retain the full amount of \$106,520 in the operating reserve as at 30 June 2023, to be used for future unforeseen compliance monitoring work undertaken by the IBCCC.