

Lies, Damn Lies and Statistics

Email exchange between David Wadsworth (Advocate) and Laurie Edwards (ACC's Lead Advisor, Media and Public Relations) about ACC's claim that only 1% of its surgery decisions are overturned at review (27 March 2010)

From: David Wadsworth
Sent: Sat 27/03/2010 9:57 a.m.
To: Laurie Edwards
Subject: outcomes at appeals and reviews

Hello Laurie
The media have you reported "Edwards said "99 per cent" of the ACC decisions were upheld on appeal, with most claimants happy with the fairness of the process." <http://www.stuff.co.nz/the-press/news/christchurch/3514374/Protester-ACC-resume-talks>

Can you please provide me the data that supports this claim please?

The reason I ask is my success rate at review is about 70% and 60% at appeal to the District Court. Admittedly ACC settle some cases before a hearing but our organisation handles over 100 cases a year and, based on our experience, I cannot believe only 1% of ACC's decisions are overturned.

I look forward to your reply.

Regards
David Wadsworth

From: Laurie Edwards
Sent: Saturday, 27 March 2010 1:11 p.m.
To: David Wadsworth
Subject: RE: outcomes at appeals and reviews

Hello David

Thanks for your email.

You will notice that the only bit in quotes is the "99 per cent", everything else is the reporter's words.

What I actually said was that ACC makes decisions on more than 50,000 elective surgery requests a year, the vast majority of which are approved (a point lost in the current media coverage). Less than 1% of those 50,000+ decisions are overturned at review. My point is that, by and large, we make the right decisions.

I didn't say that we won 99% of reviews. Of those that go to review we've historically won about 75% of them (remember it's just elective surgery we're talking about here - not sure what the figure is for all reviews).

Feel free to give me a call on Monday if you would like to discuss.

Regards

Laurie

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From: David Wadsworth
Sent: Sat 27/03/2010 1:30 p.m.
To: Laurie Edwards
Subject: RE: outcomes at appeals and reviews

Thanks Laurie

I can understand why ACC wouldn't want to advertise the fact that 1 in 4 decisions to decline funding of surgery were overturned at review (I understand it's a similar statistic across the board for other types of reviews).

Nice work.

Regards
David Wadsworth

From: Laurie Edwards
Sent: Saturday, 27 March 2010 1:38 p.m.
To: David Wadsworth
Subject: RE: outcomes at appeals and reviews

Hi David - I didn't say 1 in 4 declines was overturned at review. Not sure where you got that from since it's quite wrong?

Laurie

From: David Wadsworth
Sent: Sat 27/03/2010 1:42 p.m.
To: Laurie Edwards
Subject: RE: outcomes at appeals and reviews

You said "Of those that go to review we've historically won about 75% of them"

If 75% of ACC's decisions are upheld at review (3 out of 4) then surely that means 25% of decisions (1 in 4) were overturned?

If I am misunderstanding things, can you please clarify.

Regards
David Wadsworth

From: Laurie Edwards
Sent: Saturday, 27 March 2010 1:58 p.m.
To: David Wadsworth
Subject: RE: outcomes at appeals and reviews

Hi David, yes, you are confusing "all ACC surgery decisions" (of which there are 50,000+ most of which are approved) with those that go to review, which is only one or two thousand. We lose about a quarter of those that go to review, which is about 1% of all the original decisions we made.

Lies, Damn Lies and Statistics

From: David Wadsworth

Sent: Saturday, 27 March 2010 2:27 p.m.

To: 'Laurie Edwards'

Subject: RE: outcomes at appeals and reviews

You said "Less than 1% of those 50,000+ decisions are overturned at review. My point is that, by and large, we make the right decisions."

Obviously the decisions to approve surgery are no going to be subjected to an independent review. Many decline decision won't be reviewed for various reasons, the claimant may accept the decision, the surgeon may advise the claimant ACC is right, the claimant and/or the surgeon disagrees with the decision but the claimant does not have the wherewithal to go through the review process. Some are fortunate to obtain experienced representation or give it a go themselves and contest the decision.

The current issue in the media is about ACC declining surgery.

Of those decline decisions taken to review, 1 in 4 decisions are found to be wrong (our success rate is somewhat higher).

I think it is misleading to include decisions that are not subjected to an independent review in a statistic as if they are.

Like I said, nice work.

Regards

David Wadsworth
