

1. What benefits and entitlements are the most important to food delivery riders?

At an individual level, health and safety are the foremost importance to riders. This includes but not limited to having access to enough WHS trainings before job commencement; being provided and equipped health and safety gears; having access to medical support when accidents do happen; being exposed to a healthy work environment that is zero tolerance to bullying and exploitation.

At a workforce level, equal rights to basic work cover matters the most. This includes but not limited to reasonable work hours and wages; rights to negotiate work conditions; bad weather allowance; rights to pursue complaints at work; rights to exercise fair work; rights to access union; and rights to take leaves.

2. What insurance pricing principles should be applied to the options and what is their likely impact? How should safe work practices be best incentivised?

I want to point out that under the current food delivery system, riders are operating differently with different food delivery platforms. This is to say that they get paid differently (not just the amount, but also who pays them, in cash or bank transactions) based on the platforms. Researchers who examine the current status in English literatures may find all current riders report being paid per delivery. Some companies (i.e. Deliveroo) pay a flat rate per delivery, while others (i.e. Uber Eats) are paid a 'dynamic' rate per delivery based on distance and time travelled. There are little to no insights being captured by English-speaking researchers on the foreigner-language operated food delivery platforms such as Hungry Panda, EASI and etc. These platforms are prone to higher road accident rates and are of great work and safety risks.

Anecdotally, an international student who works for EASI says, he uses his own car to deliver food for a particular Chinese restaurant in Randwick, the way he gets paid is in cash and by the restaurant owner, rather than the platform. The platform works in a way like a recruiter to connect him and the restaurant. However, unlike a recruiter, the platform doesn't provide him with any insurance or work cover. He negotiates the salary with the restaurant owner, and the restaurant owner pays him in cash. There is a work hour restriction for anyone in Australia with a student visa. However, because the transaction is made in cash, the restaurant owner can get the international students to work as many hours as they like. According to the international student, he normally gets paid weekly but there is no overtime and bad weather allowance. The restaurant owner sometimes miss his payments and he has to follow up constantly.

When determining the insurance pricing principles, the above scenarios and risk factors need to be taken into consideration. Incentivising risk management and good claims performance may work for English-predominant food delivery companies such as Deliveroo and Uber Eats; but won't do any difference for Hungry Panda or EASI. The investment been put into enhancing the health and safety of delivery riders may see no return among the current high-risk workers. The pricing principles ought to include CALD user cases, and particularly if not regulating, but covering cash payment penalties. This needs to be done in consultation with ATO as well.

3. What is the preferred funding arrangement and key considerations? and why?

If the riders were hired by the food delivery platforms, the existing workers compensation scheme should cover this group. These riders are employed as 'workers', pay tax and superannuation, and regardless of the work nature, they should be protected as other workers. Insurance pricing should be based on the level of safety precautions the food delivery company provides – for example, the safety rating criteria can be if the rider is using company's supported car or their own vehicles, if the company is equipping the workers with safety gears, if the workers are riding motorbike or cars, the number of accidents this food delivery platform has in the past and etc.

If the riders were hired by the restaurants, but only using the food delivery platform as a 'broker'. This adds complexity to the personal injury scheme, but evidences can still be traced. The watchdog can identify the gap by comparing the daily volume of food delivery platform on one restaurant verses the number of riders hired by that platform, and the actual active riders on one day. Insurance pricing for this group need to have more rigors because they present a vulnerable group who are likely to be exploited by the restaurant. The insurance pricing should be reflected to discourage this 'broker' operating model. As a matter of fact, a special forensics & compliance government team, ideally comprise SMEs from ATO, Safework, data insights to be established to monitor the industry.

4. What are the current private insurance policy protections, costs and administration arrangements? What are current private insurance challenges for food delivery riders?

It is important to examine the top 10 rider's persona type, their environment to understand the insurance policy cover. For example, it is a condition of international student visa holders that to maintain Overseas Student Health Cover (OSHC) for the duration of their studies. However, OSHC policies specifically designed to meet the requirements of the Subclass 500 Student Visa, not the cover any work conditions and scenarios. When working as a food delivery rider, especially in the scenario of getting paid by the restaurant not the platform, the students will not be given any extra cover. The challenges are, there are no private insurance would insure for international student riders, yet they continue work in high risk environment.

5. What are the risks/benefits of private underwriting and service delivery by licensed insurers compared with public underwriting and service delivery for any newly developed personal injury scheme?

I endorse public underwriting because the gig economy is a future megatrend. The size of industry is growing, and it is time to keep the personal injury scheme up to date – we can't keep doing the same old thing expect a new result. The medical insurance support to an international worker will be highly depended on the length of his/her visa. Having access to this information beforehand can better estimation in the risk modelling. Other advantages such as eGovernment features – the connections of multiple services will make government-owned data more meaningful for a better regulation.

6. What scheme design features of any new personal injury insurance scheme are critical to minimise administrative costs and disputation levels?

Collaborating with other government organisations such as ATO and department of immigration. Understanding what data we have at the moment, and what data do we want to collect would be a good starting point.

7. Do you have a preferred model and why?

Option 6 if the riders were hired by the food delivery platforms; option 3 if the riders were hired by the restaurants.