

22 March 2021

[REDACTED]
[REDACTED]

Tēnā koe [REDACTED]

Your Official Information Act request, reference: GOV-009481

Thank you for your email of 25 February 2021, asking for the following information under the Official Information Act 1982 (the Act):

Could you please send me the internal policy and procedures, guidelines, and manuals; governing staff interactions and access to such files [Sensitive claims].

How ACC stores claims information

ACC stores claims information in our electronic claims management system, Eos. The pathway for incoming claims information (e.g. from a specialist or District Health Board), is that it is directed to the appropriate claim in electronic form. If needed, the physical copy is scanned or otherwise digitised, and stored on the associated claim file in Eos. If a case owner or other ACC employee needs to access information about a particular claim, they would access this information via Eos, without the need to request information from another ACC employee. Only the relevant claim information is stored on each claim.

Access to sensitive claims information by ACC staff

In Eos, there is the functionality to restrict access to certain types of information, to only those authorised to access that information. Only ACC staff members that need to access sensitive claims, for the purpose of carrying out their role, have access to view the information that is stored on a sensitive claim. It is expected that staff members only access information that they need to, relevant to their role.

The ACC Code of Conduct sets out that ACC employees are expected to maintain the highest standards of integrity, discretion and ethical conduct when performing their duties; this includes not accessing claims information that is not required for them to carry out their role. All staff and contractors are also required to act in accordance with the ACC Code of Claimants' Rights, which covers claimants' rights to have their privacy respected.

Through the restricted access to sensitive claims information in Eos, and behavioral expectations of staff clearly documented in the ACC Code of Conduct and other policy and guidelines, ACC is confident that we are treating sensitive claims information with due diligence and respect. We have provided copies of the *ACC Code of Conduct* and the *Code of ACC Claimant's Rights* with this letter for your reference.

Access under a whole of person approach

ACC does have *Whole of Person* guidelines. Under ACC's new ways of working (also known as Next Generation Case Management), ACC considers the person as a whole, rather than an injury or a claim, when considering our claimants needs. Clients who have more than one open or active claim are able to have all their claims managed by one person – we call this the Whole of Person (WOP) approach. The decision to have one's claims managed under the WOP approach is a decision that sits wholly with the client.

There are guidelines on how this approach works with regard to allocating claims and the general day-to-day management of WOP claims. If a client does not wish for the WOP approach to their claims, sensitive claims are able to be managed by our dedicated Partnered Mental Injury team instead. We have provided a copy of the *Whole of Person and Allocation Rules* for your reference

Response to inappropriate staff access

If a staff member was found to have acted contrary to either the Code of Conduct or Code of ACC Claimants' Rights, this would be investigated on a case by case basis by ACC.

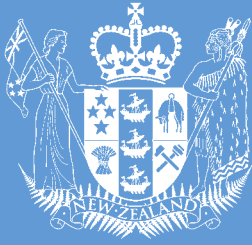
How to contact us

If you have any questions, you can email me at GovernmentServices@acc.co.nz.

Nāku iti noa, nā



Sasha Wood
Manager Official Information Act Services
Government Engagement & Support



PREVENTION. CARE. RECOVERY.

Te Kaporeihana Āwhina Hunga Whara

ACC Code of conduct

*The Code of Conduct applies to all
ACC employees and contractors*



1. Code Statement

ACC is charged with the implementation of the Accident Compensation Act 2001. In fulfilling this duty, ACC's vision is to create a unique partnership with every New Zealander, improving their quality of life by minimising the incidence and impact of injury.

As a Crown entity, ACC is part of the State Sector and contributes to building the trust and confidence of citizens in the institutions of government.

All State Sector organisations are expected to work with a spirit of service to the community, to make our services accessible and effective to those who need them, and to strive to make a positive difference to the wellbeing of New Zealanders.

Everyone who works for ACC has an important role to play in making sure we achieve our vision, and in ensuring we maintain our reputation and standing in the perception of the public. Our actions and behaviours must be consistent with these expectations at all times.

2. Objective

This Code governs the behaviours of all employees of ACC, to enable us to meet the expectations placed upon us as a Crown Entity. These standards are based on the standards that apply to all State Servants, detailed in the State Services Standard of Integrity and Conduct.

The Code of Conduct:

- can be used to provide coaching on appropriate conduct
- enables recognition of those who model the desired standard of conduct
- reflects and reinforces the ACC values and behaviour required
- outlines inappropriate behaviour and its consequences.

3. Scope

All ACC employees and contractors are expected to maintain the highest standards of integrity, discretion and ethical conduct when performing duties or representing ACC in any way.

All employees of ACC must read, understand and follow our Code of Conduct.

4. Code standards

You are expected to exercise good judgement to determine what action to take in a given situation.

Your actions need to be able to withstand scrutiny from internal and external parties. Our behaviour and actions must be seen to be fair, impartial, responsible and trustworthy at all times.

In order to achieve the high standards of behaviour expected of us, as an employee or contractor you must:

4.1 Be honest and act with integrity

- In all aspects of your employment (e.g. in your work with clients and levy payers, with regard to work attendance, requests for financial reimbursement, use of sick leave etc).

4.2 Respect the rights of others

- Treat others fairly, courteously, equally, and without discrimination or harassment
- Uphold the rights of clients, as specified in the Code of ACC Claimant's rights
- Respect and respond to all cultures, values and beliefs, particularly Māori and minority groups
- Promote the principles of Equal employment opportunity.

4.3 Perform your duties to the best of your ability

- Prioritise your primary role as an ACC employee over any secondary interests, commitments, values or beliefs you hold personally, and declare any potential Conflict of interest immediately
- Show commitment to a high quality of work
- Adhere to the ACC Health and safety policies in all areas of work
- Comply with all ACC policies, processes and standards
- Model and demonstrate ACC values and behaviours, which underpin decisions about what we do, and how we operate and behave
- Comply with the code of any professional body that you are registered or affiliated with, where this impacts upon your work with ACC
- Show initiative and creativity when resolving problems, seek to maximise productivity, and identify opportunities for improvement
- Make decisions appropriate to your role and be responsible for those decisions and the actions that result from them
- Be supportive of changes made by ACC, as change is necessary for the organisation's success
- Be supportive of your colleagues and accept your responsibilities as a team member
- Manage your personal and workplace relationships appropriately so they do not adversely affect your work.

4.4 Uphold the reputation and standing of ACC

- Act with integrity in any personal dealings you may have with ACC as a client
- Obtain your manager's approval before commencing any activity, business interest or employment that has the potential to conflict with ACC business (e.g. acting as an advocate for a client, undertaking secondary employment)
- Ensure your behaviour in relation to gifts and gratuities, managing contracts and purchasing, and other sensitive expenditure does not compromise (or appear to compromise) your personal integrity or ACC's
- Maintain appropriate professional behaviour when travelling on ACC business
- Maintain appropriate professional behaviour in any situation where you may be perceived as representing ACC
 - Have a professional standard of dress
 - Engage with the Media team about any media enquiries you receive
 - Ensure that your behaviour will not bring ACC into disrepute
 - Advise your manager of any convictions or charges laid against you whilst employed by ACC
- Maintain appropriate boundaries and relationships with clients and any other people you may work with.

4.5 Act in a politically neutral manner

- Ensure that your behaviour maintains Ministerial and public confidence in the impartiality of advice given and actions taken
- Ensure that your comments do not bring ACC or the Minister into disrepute, or compromise the perception of ACC as politically neutral (e.g. stating or implying your personal view on an issue as ACC's view)
- Ensure that your personal participation in political matters does not conflict with (or appear to conflict with) your duty to act in a politically neutral manner.

4.6 Use ACC information and property appropriately

- Be responsible for the security and confidentiality of all information that you deal with during your employment with ACC
- Use financial and non-financial information gathered by ACC and your knowledge of ACC's systems and processes only to perform ACC's business
- Treat all ACC assets and property with care and respect
- Take all reasonable steps to protect the privacy of our clients, customers, employees and other stakeholders
- Report any actual or potential privacy breaches to your manager immediately.

4.7 Act within the law

- In particular, the Accident Compensation Act 2001, Official Information Act 1982, Privacy Act 1993, Health Information Privacy Code 1994, Human Rights Act 1993, Employment Relations Act 2000 and any other relevant legislation.

5. Accountabilities

The Chief Talent Officer is responsible for ensuring organisational controls are in place in support of this policy.

6. Responsibilities

(including monitoring and oversight)

| Role: | Responsibility: |
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| Employees | <ul style="list-style-type: none">• Read, understand and follow this Code of Conduct• Undertake training or confirm your understanding of the Code of Conduct when requested by ACC• Remain up to date with the current Code of Conduct expectations• Discuss any concerns about what may be considered unacceptable behaviour with your manager• Discuss with your manager before you take any course of action that you are not entirely sure falls within the bounds of acceptable behaviour• If you believe someone in ACC is acting unethically, or has been involved in serious wrongdoing, you should report this confidentially through OKtoSay and receive protection under the Protected Disclosure Act. |
| Contractors | <ul style="list-style-type: none">• Maintain the highest standards of integrity, discretion and ethical conduct when performing duties or representing ACC in any way. |

Continued ...

Role: **Responsibility:**

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| Managers | <ul style="list-style-type: none">• Managers are representatives of ACC both when dealing with external customers or stakeholders, and when dealing with internal employees and contractors• Managers have a lead role in establishing and promoting our expected standards of behaviour and integrity• Managers are expected to conduct their behaviour, actions and decisions consistently with their duty to be fair, impartial, trustworthy and responsible at all times• As a manager you are expected to:<ul style="list-style-type: none">– Establish and promote ACC’s expected standards of behaviour and integrity– Consider your behaviour, actions and decisions in terms of the expectation to be fair, impartial, trustworthy and responsible at all times– Manage employees in accordance with the Code of Conduct, and any other ACC policies, processes, standards and systems in place to support you as a manager (e.g. development programme, performance management processes)– Lead, model and promote the expected standards of behaviour and integrity within the Code of Conduct and other internal policies and processes– Provide employees with education and coaching on expected standards of behaviour and integrity where needed– Represent ACC positively when interacting with staff, and deliver our policies, changes, initiatives or decisions in a manner consistent with ACC’s intentions– Take ultimate responsibility for work quality, actions and decisions of employees in your team– Manage within your capabilities and take ownership of your own development, and that of your team– Manage within the delegated authorities framework as specified in the Delegations Manual. |
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| Chief Talent Officer | <ul style="list-style-type: none">• Monitor the effectiveness of the Code of Conduct• Ensure organisational controls are in place in support of this policy. |
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| Executive | <ul style="list-style-type: none">• Model the highest standard of behaviours according to this Code of Conduct• Ensure Code of Conduct behaviours are integrated into all aspects of ACC business. |
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| Board | <ul style="list-style-type: none">• Approve the Code of Conduct and ensure it is consistent with ACC’s strategic direction. |
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7. Monitoring and oversight

| Line of Assurance: | Monitoring and oversight: |
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| 1st line Employees and Managers | <ul style="list-style-type: none">• Employees are expected to comply with the Code of Conduct.• Managers make employees aware of the Code of Conduct and monitor compliance. |
| 2nd line Talent Group | <ul style="list-style-type: none">• The Talent Group oversees overall compliance with this policy and obtains feedback on its effectiveness.• The Employee Relations Team provides oversight of employment relations issues, including those relating to breaches of the Code of Conduct to ensure that proper procedures are followed. |
| 3rd line Assurance | <ul style="list-style-type: none">• Third line functions provide independent information on the overall effectiveness of the Code of Conduct.• This includes Assurance Services schedule of continuous assurance activities for Talent processes and assessment of our compliance with obligations. |
| 4th line Executive | <ul style="list-style-type: none">• The Chief Executive and Chiefs have overall responsibility for ensuring compliance with Code of Conduct policies and processes. |
| 5th line Board | <ul style="list-style-type: none">• The Board approves the Code of Conduct and ensure it is consistent with ACC's strategic direction. |

8. Breaches of Policy

Behaviour or actions that are investigated and found to be in breach of the Code of Conduct may result in disciplinary action. Where breaches are found, ACC's Discipline and dismissal procedures will be followed and the employee will have an opportunity to provide an explanation for their actions or behaviours and have the right to representation.

The action taken will depend on the severity of the breach:

- Breaches of the Code of Conduct that are deemed 'misconduct' may lead to disciplinary action up to and including a final warning
- Breaches of the Code of Conduct that are deemed 'serious misconduct' may lead to disciplinary action up to and including summary dismissal. Summary dismissal is termination of employment without notice or prior warnings.

If any breaches normally considered to be misconduct are very serious or repeated, these may be deemed serious misconduct.

Misconduct

Misconduct occurs when an employee does something wrong (namely, breaches this Code of Conduct or other ACC policy) either by doing something, omitting to do something, or through their behaviour.

The lists below of actions considered to be misconduct or serious misconduct are intended as a guide for employees, and are examples only. They do not constitute an exhaustive list of breaches of the Code of Conduct.

Examples of misconduct include:

- Any act of negligence harming ACC
- Disobeying a lawful and reasonable instruction from a manager
- Failure to meet the standards of performance and behaviour expected of ACC employees
- Inappropriate behaviour or relationships

- Any action which may in any way damage the relationship of trust and confidence between ACC and government, other agencies or the community
- Allowing unauthorised access to, or disclosure of, any matter or information in relation to ACC business
- Misuse of ACC internet and/or email systems
- Inappropriate use of purchasing card or expenses
- Absence from duty or place of work without proper reason or authorisation
- Repeated lateness for work, or repeated absenteeism without just cause
- Failure to comply with any ACC policy or procedure
- Any behaviour of a similar type.

Serious misconduct

Serious misconduct occurs when the misconduct could have the effect of destroying or undermining the relationship of trust and confidence between an employee and employer.

Examples of serious misconduct include:

- Dishonesty
- Theft
- Fraud
- Handling a claim relating to oneself, a relative, acquaintance or friend without the express approval of the manager, or taking a role as an advocate for a client without approval
- Corruption – accepting a bribe, inducement, reward or gift, or complying with a request or threat to use your position to provide a benefit to any person or third party, which has the effect of allowing inappropriate activity or compromising the impartial performance of your duties

- Failure to declare any activity, business interest or employment that has the potential to conflict with ACC business
- Accessing ACC information relating to family, friends, acquaintances or clients without legitimate cause
- Criminal conviction leading to imprisonment or adversely affecting your ability to carry out your work. Offences generally considered unacceptable are outlined in the Screening for Criminal Convictions policy but will be determined according to the nature of the employee's role
- Misuse or unauthorised possession or sharing of ACC property and/or information (e.g. misuse of financial information or client information)
- Harassment of anyone you work with (e.g. client, employee, contractor)
- Abusive or discriminatory statements or practices
- Assaulting or abusing another person
- Allowing work performance to be affected by drug, alcohol or substance abuse (including abuse during work hours)
- Dangerous or unsafe work practices, including non-compliance with ACC Health and safety policies, and Health and Safety legislation
- Any act that has the potential to bring ACC into disrepute
- Significant failure to comply with any ACC policy or procedural requirements
- Any behaviour of a similar type.

9. Contacts

Contact HR Help regarding this policy.

10. References

State Services Standards of integrity and conduct

Policies:

- Bullying and harassment
- Conflict of interest
- Protected disclosure
- Dress code
- Equal employment opportunity
- Sensitive expenditure
- Health and safety
- Information security
- Internet and email
- Media
- Privacy
- Procurement
- Social media
- Taking leave policy
- Delegations Manual

11. Policy review dates

Last review: February 2020

Next review: February 2023

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

www.acc.co.nz

Injury Prevention, Rehabilitation, and Compensation (Code of ACC Claimants' Rights) Notice 2002

Pursuant to section 44 of the Injury Prevention, Rehabilitation, and Compensation Act 2001, the Minister for ACC gives the following notice.

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| 1 | Title | Schedule |
| 2 | Code of ACC Claimants' Rights approved | Code of ACC Claimants' Rights |

Notice

- 1 Title**
This notice is the Injury Prevention, Rehabilitation, and Compensation (Code of ACC Claimants' Rights) Notice 2002.
 - 2 Code of ACC Claimants' Rights approved**
The Code of ACC Claimants' Rights set out in the Schedule is approved.
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Schedule
Code of ACC Claimants' Rights

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| <p>Part 1: Introduction</p> <p><i>1.1: Background</i></p> <p><i>1.2: Purpose of Code</i></p> | <p>This Code of ACC Claimants' Rights (this Code) has been established under sections 42 to 44 of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (the Act).</p> <p>This Code confers rights on claimants and imposes obligations on ACC in relation to how ACC should deal with claimants.</p> <p>This Code comes into force on 1 February 2003, and a complaint can be made under this Code from that date. A complaint cannot be made under this Code about any dealings ACC had with a claimant prior to 1 February 2003.</p> <p>The purpose of this Code is outlined in section 40(1) of the Act. The Act states that the purpose of this Code is to meet the reasonable expectations of claimants (including the highest practicable standard of service and fairness) about how ACC should deal with them. This includes—</p> <ul style="list-style-type: none">(a) conferring rights on claimants and imposing obligations on ACC in relation to how ACC should deal with claimants; and(b) providing for the procedure for lodging and dealing with complaints about breaches of this Code by ACC; and(c) providing for the consequences of, and remedies for, a breach of this Code by ACC; and(d) describing how and to what extent ACC must address situations where its conduct is not consistent with, or does not uphold, the rights of claimants under this Code; and(e) explaining a claimant's right to a review of a decision made under this Code about a claimant's complaint. <p>Section 40(2) of the Act provides that:</p> <p><i>The rights and obligations in the Code—</i></p> <ul style="list-style-type: none">(a) <i>are in addition to any other rights claimants have and obligations the Corporation has under this Act, any other enactment, or the general law; and</i> |
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| <p><i>1.3: Spirit of Code</i></p> <p><i>1.4: Application of Code</i></p> | <p>(b) <i>do not affect the entitlements and responsibilities of claimants under this Act, any other enactment, or the general law.</i></p> <p>This means that claimants' obligations, responsibilities, and entitlements, as set out in the Act, do not change. In addition, claimants retain their rights and responsibilities under any other enactment or the general law, including that which governs the Health and Disability Commissioner, the Human Rights Commission, the Office of the Ombudsmen, and the Office of the Privacy Commissioner.</p> <p>In summary, the purpose of this Code is to meet the reasonable expectations of claimants about how ACC should deal with claimants. This Code is not about cover, or the type and level of entitlements that ACC is obligated to provide, as these continue to be prescribed by the Act.</p> <p>This Code encourages positive relationships between ACC and claimants. For ACC to assist claimants, a partnership based on mutual trust, respect, understanding, and participation is critical. Claimants and ACC need to work together, especially in the rehabilitation process. This Code is about how ACC will work with claimants to make sure they receive the highest practicable standard of service and fairness.</p> <p>In all its dealings with claimants, ACC must ensure that its actions are consistent with, and uphold, the rights of claimants as provided for in this Code by applying the highest practicable standard of service and fairness.</p> <p>Accredited employers, and persons acting as agents of ACC or on behalf of ACC, must also comply with this Code in their dealings with claimants.</p> <p>The provision of treatment services is not covered by this Code, and continues to be covered by the Code of Health and Disability Services Consumers' Rights. In addition, any treatment and disability services purchased by ACC are covered by the Health and Disability Sector Standards and the Health and Disability Services (Safety) Act 2001.</p> |
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| <p><i>Right 4</i></p> | <p>(b) We will be respectful of, and responsive to, all cultures, values, and beliefs.</p> <p>You have the right to a support person or persons.</p> <p>(a) We will welcome you and your support person(s) provided that the safety of all involved can be assured.</p> |
| <p><i>Right 5</i></p> | <p>You have the right to effective communication.</p> <p>(a) We will communicate with you openly, honestly, and effectively.</p> <p>(b) We will respond to your questions and requests in a timely manner.</p> <p>(c) We will provide you with an interpreter when necessary and reasonably practicable.</p> <p>(d) We will provide information in a form which you can access, and in a timely manner.</p> |
| <p><i>Right 6</i></p> | <p>You have the right to be fully informed.</p> <p>(a) We will provide information on how to make a claim for cover and entitlements.</p> <p>(b) We will keep you fully informed.</p> <p>(c) We will provide you with full and correct information about your claim, entitlements, obligations, and responsibilities.</p> <p>(d) We will inform you if your entitlements change.</p> <p>(e) We will give you information about how we provide services, and how to access them.</p> <p>(f) We will discuss expected time frames with you.</p> <p>(g) We will inform you of your review and appeal rights under the Act.</p> |
| <p><i>Right 7</i></p> | <p>You have the right to have your privacy respected.</p> <p>(a) We will respect your privacy.</p> <p>(b) We will comply with all relevant legislation relating to privacy.</p> <p>(c) We will give you access to your information, in accordance with legislation.</p> |
| <p><i>Right 8</i></p> | <p>You have the right to complain.</p> <p>(a) We will work with you to address problems and concerns.</p> |

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| | <ul style="list-style-type: none"> (b) We will inform you about options available for resolving problems and concerns. (c) We will inform you about the complaints process, and the normal time frames for dealing with complaints. |
| <p>Part 3: Addressing problems and concerns; and lodging and dealing with complaints</p> <p><i>3.1: Overview</i></p> <p><i>3.2: Procedure for addressing and resolving problems and concerns</i></p> <p><i>3.3: Procedure for lodging a complaint</i></p> | <p>This Code sets out a framework for addressing and resolving problems and concerns at the local level, and then a process to be followed for complaints, in the event that any problem or concern cannot be resolved at the local level.</p> <p>A claimant can either—</p> <ul style="list-style-type: none"> (a) raise a problem or concern at the local level, which will be addressed and resolved at the local level without a decision being made; or (b) lodge a complaint with the complaints service at any time, regardless of whether a problem or concern has been raised at the local level, and in that case a decision will be issued. <p>A claimant can raise a problem or concern about ACC's compliance with this Code. The problem or concern should be raised at the local level with the person the claimant is dealing with at ACC, or that person's manager.</p> <p>ACC will work with the claimant to address and resolve problems and concerns, and to find a way forward. At this point, ACC will advise the claimant of—</p> <ul style="list-style-type: none"> (a) what steps have been taken in relation to the claimant's problem or concern; and (b) the procedure for lodging a complaint if the claimant is not satisfied with the resolution. <p>The claimant can decide whether to lodge a complaint.</p> <p>A complaint concerning this Code should be lodged with the complaints service. The complaints service is part of ACC, and will deal with, and make decisions on, these complaints. The complaints service will act in a fair and impartial manner, taking the evidence, and the claimant's and ACC's views into consideration.</p> <p>A complaint can be lodged with the complaints service at any time, regardless of whether the claimant previously raised a problem or concern</p> |

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| <p>3.4: <i>Procedure for dealing with a complaint</i></p> <p>3.5: <i>Making a decision</i></p> | <p>with the person the claimant is dealing with at ACC, or that person's manager.</p> <p>The claimant may complain orally or in writing. ACC may decline to investigate where a complaint is correctly dealt with by another agency, such as the Health and Disability Commissioner. In these circumstances, ACC will advise the claimant of appropriate agencies that may be able to assist.</p> <p>Any dispute about cover and entitlements, including treatment and compensation, is not covered by this Code, and continues to be addressed by mechanisms under the Act.</p> <p>The complaints service will—</p> <ul style="list-style-type: none">(a) acknowledge receipt of the complaint in writing; and(b) advise the claimant about the complaints process and normal time frames for dealing with the complaint; and(c) comply with all of the other relevant rights in this Code when dealing with complaints; and(d) investigate the complaint; and(e) advise the claimant of any issues, such as entitlements, that are not matters for this Code and advise who the claimant should contact to seek resolution of these issues. <p>If, in the course of investigating a complaint against ACC, issues of the performance of an employee or employees of ACC arise, these will be dealt with under the normal human resources policy and processes within ACC, having due regard to employment law. These issues will <i>not</i> be dealt with under the auspices of remedies available under this Code.</p> <p>The complaints service will issue a decision on the complaint. The decision will be in writing and will advise—</p> <ul style="list-style-type: none">(a) whether ACC has breached this Code; and(b) the reasons for that decision; and(c) if a breach has occurred, what, if any, of the remedies or actions identified in Part 4 are appropriate. <p>In addition, the decision will specify that the claimant has the right to a review of that decision, as in Part 6.</p> |
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| <p>Part 4: Remedies available under this Code</p> | <p>Upon a finding that there has been a breach of this Code, the complaints service may, where appropriate, direct ACC to—</p> <ul style="list-style-type: none"> (a) provide a written or oral apology; (b) forward a written explanation of the situation; (c) meet with the claimant to consider the claimant's views and achieve resolution, accompanied by the claimant's support person(s) where requested; (d) forward information to the claimant, in an appropriate form, which explains— <ul style="list-style-type: none"> – the claim and related entitlements – review and appeal rights – any appropriate legislation, services, and the expected time frames; (e) provide the claimant with access to the claimant's file; (f) facilitate communication by ensuring a response is given to questions and requests; (g) provide interpretation services. <p>In addition, the complaints service may, where appropriate, recommend other remedial actions as required.</p> |
| <p>Part 5: Addressing situations</p> | <p>In addition to the remedies in Part 4, ACC will address the wider implications of breaches that arise by—</p> <ul style="list-style-type: none"> (a) analysing and monitoring issues arising from the complaints process; and (b) identifying concerns with operational policies and processes; and (c) subsequently undertaking and remedying concerns associated with operational policies and processes as appropriate; and (d) informing the claimant that the situation has been addressed. |
| <p>Part 6: Claimant's right of review</p> | <p>If a claimant disagrees with any decision made by ACC under this Code about a complaint, the claimant can apply for a review of that decision. ACC will provide information about the review process to the claimant. The review process is set</p> |

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| | <p>out in sections 133 to 148 of the Act. The Act includes, among other things,—</p> <ul style="list-style-type: none"> (a) the manner in which an application must be made; and (b) the manner in which ACC must deal with the application; and (c) ACC’s duty to secure an independent reviewer; and (d) the role of the reviewer; and (e) the reviewer’s duty to act independently; and (f) conduct of the review hearing; and (g) decisions the reviewer can make. |
| <p>Part 7: An appeal cannot be lodged to the District Court</p> | <p>Under the appeal provisions in the Act, there is no right to appeal a review decision made under this Code because section 149(3) of the Act provides that:</p> <p><i>However, neither a claimant nor the Corporation may appeal to the District Court against a review decision on a decision by the Corporation under the Code on a complaint by the claimant.</i></p> <p>Any rights of review and appeal, in relation to cover and entitlements, continue under the Act.</p> |
| <p>Part 8: Status of Code</p> | <p>Section 46 of the Act provides that this Code is a regulation for the purposes of the Regulations (Disallowance) Act 1989. Under section 44 of the Act, this Code must be presented to the House of Representatives.</p> |

**Injury Prevention, Rehabilitation, and
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Explanatory note

2002/390

Dated at Wellington this 4th day of December 2002.

Ruth Dyson,
Minister for ACC.

Explanatory note

This note is not part of the notice, but is intended to indicate its general effect.

This notice, which is given by the Minister for ACC, approves the Code of ACC Claimants' Rights. The Code comes into force on 1 February 2003.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 5 December 2002.
This notice is administered by the Accident Compensation Corporation.

Whole of Person and Allocation Rules

Guidelines



Introduction

Under NGCM ACC considers the person rather than the claim or injury, aiming to frame a service around customer need. X

If the client **does not** wish for the whole of person approach, and:

- the claim is a transfer from the Sensitive Claims Unit, the Mental Injury claim will be managed in the new Partnered Mental Injury team, and
- the Physical Injury claim remains where it is, whether that is in a BAU Branch/STCC or another NG team.

Scenarios for allocation rules where the client has **agreed** to Whole of Person approach:

- Client has Partnered Mental Injury claim and non-complex Physical Injury claim(s) = Claims managed by Partnered Mental Injury Recovery Partner
- Client has both Partnered Mental Injury and Partnered Physical Injury claims = claims managed by Partnered Physical Injury Recovery Partner

NOTE: Non-complex means the claim would not meet the criteria for Partnered Recovery team

The allocation process completed by the Real Time Analyst team:

Real Time Analyst's (RTA) identify Partnered claims for allocation

- Client has new Partnered Mental Injury or Partnered Physical Injury claim
- RTA checks for existing open claims

Open claims in Assisted:

- RTA alerts Recovery Partner of open claims in Assisted, which may be Mental Injury (MI) or Physical Injury (PI), and advises WOP discussion required by Recovery Partner (as the Assisted team do not have a relationship with the client)

Note: An Assisted MI claim and an Assisted PI claim, which did not Transition from Partnered Recovery, will remain in Assisted Recovery as two separate / unique claims and do not require the WOP management.

Note: If a client has more than two claims in Assisted the Recovery Assistants are required to seek guidance through Recovery Support for consideration of WOP management.

Open claims in Supported:

- RTA emails Recovery Coordinator from RTA mailbox to alert to Partnered Mental Injury claim and advise WOP discussion needed by Recovery Coordinator (as Recovery Coordinator has relationship with client)
- If the Recovery Coordinator has no relationship with the client, the Partnered Mental Injury Recovery Partner contacts client/provider for Welcome Conversation and WOP discussion

Open claims in Partnered:

- If open claim is Partnered MI and the PI claim is not Partnered PI then both claims managed by Partnered MI Recovery Partner
- If open claim is Partnered PI then both claims managed by Partnered PI Recovery Partner

Open claims in non NGCM branch/unit:

- RTA alerts Recovery Partner of open claims in non NGCM branch/unit and advises WOP discussion required by Recovery Partner (as other case manager is not working in the NGCM way).

Partnered Mental Injury Child and Adolescent claims (up to the age of 18 years):

- RTA follows same process as for claims of adult clients to identify other open claims and alerts current case owners WOP conversation required with Parent / Guardian
- If existing case owner does not have a relationship with client, the receiving Recovery Partner has the WOP conversation with Parent / Guardian
- Partnered MI claim allocated to Recovery Partner who has the skills to work with younger age group clients

Partnered Physical Injury Child and Youth claims (up to 18 years of age):

- RTA follows same process as for claims of adult clients to identify other open claims and alerts current case owners WOP conversation required with Parent / Guardian
- If existing case owner does not have a relationship with client, or claim is in Assisted Recovery, the receiving Recovery Partner has the WOP conversation with Parent / Guardian
- Partnered PI claim allocated to Recovery Partner who has the skills to work with younger age group clients

New cover claim – another open claim in a Recovery Team

In the situation where a client has a claim being managed in a Recovery Team, and a new 'non-specialist' claim is lodged that requires cover to be assessed, the new claim will be transferred from Cover Assessment to the Recovery Team or individual Recovery Team Member to manage.

The receipt of the new claim will trigger the Recovery Team Member to review the 'Track Recovery' procedures, the Assessing Claim for Cover in Recovery Team guidelines, as well as the Choosing the Right Recovery Team guidelines to determine if the two claims should continue to be managed in the current Recovery Team. Key considerations will include how the new injury/condition is likely to impact the client's ability to achieve their current recovery goals (irrespective of the future cover decision), as well as the level of complexity and contact required to assess the new claim.

* a 'specialist claim' is one of the following: Treatment Injury, Hearing Loss, Work-Related Gradual Process, and Fatal. Staff, Remote, Te Ara Tika, and 'sensitive' claims do not go via Cover Assessment.