

Summary

Objective

Effective communication between ACC staff and clients is essential to creating productive relationships and enabling ACC to better support clients. However, at times communication between ACC staff and clients breaks down.

If the client's behaviour or communication is unreasonable, it may be appropriate to introduce a communication plan to manage the behaviour.

Background

This communication plan policy applies to all ACC staff who have contact with clients. This includes staff and clients in Te Ara Tika and the Remote Claims Unit.

- 1) Non-effective communication
- 2) Criteria for implementing a communication plan
- 3) Type of Restrictions
- 4) Reviewing the communication plan
- 5) Code of Claimant's Rights

Owner

[Name withheld]

Expert

Policy

1.0 Non-effective Communication

- a** Non-effective communication is defined as, "behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint." This behaviour can fall into five broad categories relating to:
- persistence
 - demands
 - lack of co-operation
 - arguments
 - overall behaviour.

2.0 Criteria for implementing a communication plan

- a** If a client exhibits the above behaviour a communication plan may be appropriate.
- b** All the following criteria must be fulfilled before a communication plan is implemented:
- The client exhibits behaviour or non-effective communication that must be managed because of the excessive demands it places on staff, time, or resources, or it poses health and safety risks.
 - The client has been given two or more written warnings (with the warnings outlining the type of non-effective communication displayed, when it occurred, expectations going forward, and the restrictions that could be placed on the client if there is no change in their communication).
 - Authorisation from a manager (Client Service Leader or other equivalent level manager; or Te Ara Tika Team Leader and RCU Leader) approving the implementation of a communication plan.



PROCESS

Implement a Communication Plan

3.0 Types of Restrictions

- a** The restrictions that can be placed on a client are the same as those outlined by the Ombudsman in Managing unreasonable complainant conduct practice manual. They include:
- who the client can have contact with
 - what they can raise with the agency (ACC)
 - when they can have contact
 - where they can make contact, and
 - how they can make contact.
- b** The restriction options can be found here.



Communication Plans - Types of Communication Restrictions

- c For more information refer to the Managing unreasonable complainant conduct practice manual.



Managing unreasonable complainant conduct

https://www.ombudsman.parliament.nz/sites/default/files/2019-03/managing_unreasonable_complainant_conduct_manual

4.0 Reviewing the communication plan

- a Restrictions placed on a client must be reviewed every six months, at a minimum, to see if they are still appropriate.
- b Authorised managers are responsible for determining:
- if the restrictions should be retained
 - if the restrictions should be removed, or
 - whether new restrictions should be added.

NOTE What to do if new restrictions need to be added after reviewing the plan?

If the client starts introducing a new form of behaviour or non-effective communication, they have not previously displayed, then at least two written warnings must be issued before a new restriction is added to the Communication Plan.

However, if the client continues to display the same type of behaviour or non-effective communication and the current restriction is not having the desired effect then a new restriction can be added without issuing warnings.



PROCESS

Review a Communication Plan

5.0 Code of Claimants Rights

- a Whether a client is on a communication plan or not clients have rights under the Code of Claimants Rights. The following are the rights held by claimants relevant to communications plans; ACC must adhere to these when communicating with clients:
- Right 1 – you have the right to be treated with dignity and respect.
 - Right 2 – you have the right to be treated fairly, and to have your views considered.
 - Right 5 – you have the right to effective communication.
 - Right 6 – you have the right to be fully informed.
 - Right 8 – you have the right to complain.



Code of ACC Claimants' Rights

<https://www.legislation.govt.nz/regulation/public/2002/0390/latest/DLM173115.html>

Timeframes

Activity	Incl.	Active Time	Wait Time
Implement a Communication Plan	×	<div><div></div></div>	<div><div></div></div>
Review a Communication Plan	×	<div><div></div></div>	<div><div></div></div>